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26 Declaration of Agent's Name and Address

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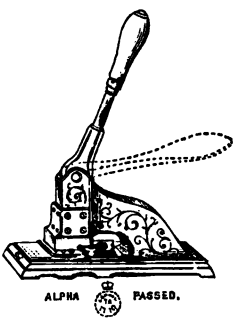

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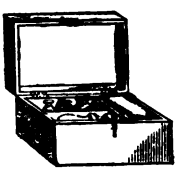

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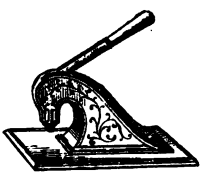

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THE

BALLOT ACT, 1872,

WITH

COPIOUS NOTES AND INDEX.

BY

WILLIAM CUNNINGHAM GLEN,

BARRISTER-AT-LAW.

London:
SHAW AND SONS, FETTER LANE,
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1872.

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PREFACE.

It is not my purpose to preface this little work with anything like an historical essay on the Ballot. To do so would take up much more time than I could spare from other avocations; and would, besides, only encumber a work which is intended for practical use, and not for the shelves of the library.

In conjunction with Mr. C. W. Lovesy (now Mr. Justice Lovesy, of Trinidad), I edited the Representation of the People Act, 1867. The subject of the Ballot Act, 1872, being cognate to the Representation of the People Act, and having treated of the subject of Parliamentary Registration and Elections in other works, I have undertaken the present work. I do not claim for it anything more than its being a carefully annotated edition of a statute which, like the Act of 1867, may as yet be called "a leap in the dark."

In the introduction to the Representation of the People Act, the then statistics with regard to the electoral franchises were given, and it was observed that it would be interesting at a future time to compare them with the ascertained alterations in the constituencies to be effected by that Act. The following are the comparative results: — In the counties, in 1867, there were 116,527 occupiers possessing the £50 occupation franchise, and 423,744 possessing other qualifications. In the year 1871 these numbers had increased to 242,003 occupiers

possessing the £12 occupation franchise given by the Act of 1867, and 558,311 possessing other qualifications;—the gross constituencies of the counties in 1871 being 800,314, against 540,271, or an increase in the county electors of 260,043. In the boroughs, in 1867, there were 489,071 electors on the register; and in the year 1871 these numbers had increased to 1,294,467. It appears, therefore, that "the leap in the dark," which was taken in 1867, placed on the register 1,065,439 electors who would not otherwise have possessed the parliamentary franchise.

In the speech from the throne on the prorogation of Parliament, Her most gracious Majesty is made to say, that the Act which establishes the Ballot will assist to secure alike the independence of the voter, and the tranquillity and purity of elections for members to serve in Parliament. But curiously enough, though the Ballot Act extends also to Municipal Elections, the same hopes are not held out as regards those elections. Let us trust, however, that experience will be found fully to justify, not the expectations merely, but the confident assurances of the Royal Speech; and that Parliamentary and Municipal Elections will henceforth be reflexes of the independence of the voter, of tranquillity in the conduct of the election, and of purity on the part of candidates as well as of constituencies.

W. C. G.

5, Elm Court, Temple,
31*st August*, 1872.

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PARLIAMENTARY AND MUNICIPAL ELECTIONS.

THE BALLOT ACT, 1872.

35 & 36 Vict. Cap. 33.

An Act to amend the Law relating to Procedure at Parliamentary and Municipal Elections.

[18th July, 1872.]

Whereas it is expedient to amend the law relating to procedure at parliamentary and municipal elections:

Be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present parliament assembled, and by the authority of the same, as follows:

PART I.

Parliamentary Elections.

Procedure at Elections.

Nomination of candidates for parliamentary elections.

1. A candidate for election to serve in parliament for a county or borough shall be nominated in writing. The writing shall be subscribed by two registered electors of such county or borough as proposer and seconder, and by eight other registered electors of the same county or borough as assenting to the nomination, and shall be delivered during the time appointed for the election to

the returning officer by the candidate himself, or his proposer or seconder (*a*).

If at the expiration of one hour after the time appointed for the election no more candidates stand nominated than there are vacancies to be filled up, the returning officer shall forthwith declare the candidates who may stand nominated to be elected, and return their names to the Clerk of the Crown in Chancery; but if at the expiration of such hour more candidates stand nominated than there are vacancies to be filled up, the returning officer shall adjourn the election and shall take a poll in manner in this Act mentioned.

A candidate may, during the time appointed for the election, but not afterwards, withdraw from his candidature by giving a notice to that effect, signed by him, to the returning officer (*b*): Provided, that the proposer of a candidate nominated in his absence out of the United Kingdom may withdraw such candidate by a written

---

(*a*) The form of nomination paper is given in the first schedule to the Act, *post*, p. 68, and the appointment of the time for the election is regulated by the same schedule, clauses 1 and 2, *post*, pp. 39, 40.

See sects. 14—30 of the first schedule, pp. 44—50, *post*, as to the manner of taking the poll at an election.

(*b*) The notice of withdrawal of the candidate may be in the following form:—

To the ("sheriff," or other returning officer) of the
of .

I, the undersigned , of in the of , having been duly nominated, at the election now pending, as a proper person to serve as member for the of in parliament, do hereby give you notice that I withdraw my candidature for election.

Dated this day of , 18 .

Signature of candidate. } _____

notice signed by him and delivered to the returning officer, together with a written declaration of such absence of the candidate (*c*).

If after the adjournment of an election by the returning officer for the purpose of taking a poll one of the candidates nominated shall die before the poll has commenced, the returning officer shall, upon being satisfied of the fact of such death, countermand notice of the poll, and all the proceedings with reference to the election shall be commenced afresh in all respects as if the writ had been received by the returning officer on the day on which proof was given to him of such death; provided that no fresh nomination shall be necessary in the case of a

---

(*c*) The "proposer" will be the registered elector whose name stands first in the nomination paper; but it will be observed that the form of nomination paper in the schedule says nothing about a "proposer" or "seconder."

The withdrawal on the part of the proposer may be in the following form:—

To the (sheriff or other returning officer) of the
of .

I, the undersigned , of in the of , being the proposer at the election now pending of the following person as a proper person to serve as member for the said in parliament,

Surname.	Other Names.	Abode.	Rank, Profession, or Occupation.

do hereby give you notice that I withdraw such candidate for election; and I hereby declare that I nominated the said candidate in his absence out of the United Kingdom.

Dated this day of , 18 .

Signature of proposer. _____

candidate who stood nominated at the time of the countermand of the poll (*a*).

Poll at elections.

2. In the case of a poll at an election the votes shall be given by ballot. The ballot of each voter shall consist of a paper (in this Act called a ballot paper) showing the names and description of the candidates. Each ballot paper shall have a number printed on the back, and shall have attached a counterfoil with the same number printed on the face. At the time of voting, the ballot paper shall be marked on both sides with an official mark, and delivered to the voter within the polling station, and the number of such voter on the register of voters shall be marked on the counterfoil, and the voter having secretly marked his vote on the paper, and folded it up so as to conceal his vote, shall place it in a closed box in the presence of the officer pre-

---

(*a*) The Act is silent as to what shall be sufficient "proof" of death of the candidate,—strict legal documentary proof will probably not be necessary. On being *satisfied* of the fact of death the returning officer is to countermand notice of the poll; but the proceedings are to commence afresh, as if the writ had been received by the returning officer on the day on which *proof was given to him* of the death. It seems that the returning officer must determine for himself what proof will be sufficient to satisfy him of the death of the candidate.

The countermand of the poll may be as follows:—

Whereas an election of members to serve in parliament for the of is now pending, and whereas , of , in the of , was duly nominated as a proper person to serve as member for the said in parliament: And whereas proof was this day of , 18 , given to me that the said died at , in the of , on the day of , 18 ; and I, the undersigned, the (*sheriff or other returning officer*) of the said of , therefore in pursuance of the statute in that behalf made and provided, do hereby countermand notice of the poll which I fixed to take place on the day of , 18 .

Signature of returning officer. } _____

siding at the polling station (in this Act called the "presiding officer") after having shown to him the official mark at the back (*b*).

Any ballot paper which has not on its back the official mark, or on which votes are given to more candidates than the voter is entitled to vote for, or on which anything, except the said number on the back, is written or marked by which the voter can be identified, shall be void and not counted.

After the close of the poll the ballot boxes shall be sealed up, so as to prevent the introduction of additional ballot papers, and shall be taken charge of by the returning officer (*c*), and that officer shall, in the presence of such agents, if any, of the candidates as may be in attendance (*d*), open the ballot boxes, and ascertain the result of the poll by counting the votes given to each candidate (*e*), and shall forthwith declare to be elected the candidates or candidate to whom the majority of votes have been given, and return their names to the Clerk of the Crown in Chancery (*f*). The decision of the returning officer as to any question arising in respect of any

(*b*) As to the ballot, see the first schedule, clauses 14—30, *post*, pp. 44—50, and the form of ballot paper in the second schedule, *post*, p. 70, with the form of directions as to filling it up in secret.

(*c*) The returning officer is to take charge of the ballot boxes when sealed up; but as he cannot be present at each polling place at the close of the poll, it would seem that he must visit each in succession, and there take charge of the boxes. It would be manifestly improper to permit the "presiding officers" to take them away from the polling places until they are taken charge of by the returning officer. As to the duties of the returning officer generally, see sects. 8—11, *post*, pp. 12—15.

(*d*) The returning officer will appoint the place where he will open the boxes, and he should inform the several persons interested of the place and time when he will do so.

(*e*) Poll books to be used in "counting the votes," as well as ballot boxes, stamping instruments, and all necessary books and forms may be obtained from the publishers of this work.

(*f*) See clause 37 of the first schedule, *post*, p. 52.

ballot paper shall be final, subject to reversal on petition questioning the election or return (*a*).

Where an equality of votes is found to exist between any candidates at an election for a county or borough, and the addition of a vote would entitle any of such candidates to be declared elected, the returning officer, if a registered elector of such county or borough, may give such additional vote, but shall not in any other case be entitled to vote at an election for which he is returning officer (*b*).

Offences at Elections.

Offences in respect of nomination papers, ballot papers, and ballot boxes.

3. Every person who,—

(1.) Forges or fraudulently defaces or fraudulently destroys any nomination paper, or delivers to the returning officer any nomination paper, knowing the same to be forged; or

(2.) Forges or counterfeits or fraudulently defaces or fraudulently destroys any ballot paper or the official mark on any ballot paper; or

(3.) Without due authority supplies any ballot paper to any person; or

(4.) Fraudulently puts into any ballot box any paper other than the ballot paper which he is authorized by law to put in; or

(5.) Fraudulently takes out of the polling station any ballot paper; or

(6.) Without due authority destroys, takes, opens, or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of the election;

shall be guilty of a misdemeanor, and be liable, if he is a returning officer or an officer or clerk in attendance at a polling station, to imprisonment for any term not exceeding two years, with or without hard labour, and if

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(*a*) As to election petitions, see the Parliamentary Elections Act, 1868, and the Corrupt Practices (Municipal Elections) Act, 1872.

(*b*) As to counting the votes, see *post*, p. 51.

he is any other person, to imprisonment for any term not exceeding six months, with or without hard labour.

Any attempt to commit any offence specified in this section shall be punishable in the manner in which the offence itself is punishable.

In any indictment or other prosecution for an offence in relation to the nomination papers, ballot boxes, ballot papers, and marking instruments at an election, the property in such papers, boxes, and instruments may be stated to be in the returning officer at such election, as well as the property in the counterfoils (*c*).

Infringement of secrecy.

4. Every officer, clerk, and agent (*d*) in attendance at a polling station shall maintain and aid in maintaining the secrecy of the voting in such station, and shall not communicate, except for some purpose authorized by law, before the poll is closed, to any person any information as to the name or number on the register of voters of any elector who has or has not applied for a ballot paper or voted at that station, or as to the official mark, and no such officer, clerk, or agent, and no person whosoever, shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling station information as to the candidate for whom any voter in such station is about to vote or has voted, or communicate at any time to any person any information obtained in a polling station as to the candidate for whom any voter in such station is about to vote or has voted, or as to the number on the back of the ballot paper given to any voter at such station. Every officer, clerk, and agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting, and shall not attempt to ascertain at such counting the number on the back of any ballot paper, or communicate any information obtained at such

(*c*) As to the offence of "personation" see sect. 24, *post*, p. 29.

(*d*) See clause 51 of the first Schedule, *post*, p. 58, as to the candidate undertaking the duties of an agent.

counting as to the candidate for whom any vote is given in any particular ballot paper. No person shall directly or indirectly induce any voter to display his ballot paper after he shall have marked the same, so as to make known to any person the name of the candidate for or against whom he has so marked his vote (*a*).

Every person who acts in contravention of the provisions of this section shall be liable, on summary conviction before two justices of the peace, to imprisonment for any term not exceeding six months, with or without hard labour (*b*).

Amendment of Law.

Division of counties and boroughs into polling districts.

5. The local authority (as hereinafter defined) (*c*) of every county shall by order, as soon as may be practicable after the passing of this Act, divide such county into polling districts, and assign a polling place to each district, in such manner that, so far as is reasonably practicable, every elector resident in the county shall have a polling place within a distance not exceeding four miles from his residence (*d*), so, nevertheless, that a polling district need not in any case be constituted containing less than one hundred registered electors (*e*).

(*a*) See the form of directions to the voter in voting, *post*, p. 71.

(*b*) Proceedings for any offence against this section will be taken under 11 & 12 Vict. c. 43. See Glen's third edition of Jervis's Acts.

(*c*) For the definition of the local authority, see *post*, p. 9.

(*d*) The distance will be measured in a straight line, "as the crow flies." See *Lake* v. *Butler*, 5 E. & B. 92; 24 L. J. Q. B. 273; *Stokes* v. *Grissell*, 23 L. J. C. P. 141; *Jewell* v. *Stead*, 6 E. & B. 350; 25 L. J. Q. B. 294; *Reg.* v. *Saffron Walden*, 9 Q. B. 76; 15 L. J. M. C. 115; and *Duignan* v. *Walker*, 33 L. T. 256. None of these cases, however, were decided with reference to parliamentary elections.

(*e*) It will rest with the constituted local authority to decide how far it is reasonably practicable to divide the county, so that every polling place may be within the prescribed distance.

The local authority (as hereinafter defined) (*f*) of every borough shall take into consideration the division of such borough into polling districts, and, if they think it desirable, by order, divide such borough into polling districts in such manner as they may think most convenient for taking the votes of the electors at a poll.

The local authority of every county and borough shall, on or before the first day of May one thousand eight hundred and seventy-three, send to one of Her Majesty's principal secretaries of state, to be laid by him before both houses of parliament, a copy of any order made by such authority in pursuance of this section, and a report, in such form as he may require, stating how far the provisions of this Act with respect to polling districts have been complied with in their county or borough; and if they make any order after the first day of May one thousand eight hundred and seventy-three, with respect to polling districts or polling places in their county or borough, they shall send a copy of such order to the said secretary of state, to be laid by him before both houses of parliament.

The local authority of a county or borough in this section means the authority having power to divide such county or borough into polling districts under section thirty-four of the Representation of the People Act, 1867, and any enactments amending that section (*g*); and such

(*f*) For the definition of the local authority, see *infra*.

(*g*) Under the Act referred to, the local authority of a county are the justices of the peace having jurisdiction therein, or in the larger part thereof, assembled at some court of general or quarter sessions, or at some adjournment thereof. So, also, as regards the Isle of Ely. The local authority for a municipal borough, and for every borough, any part of which forms a municipal borough, are the town council of such borough; and in other boroughs, the justices of the peace acting for such borough, or if there be no such justices, then the justices acting for the division of the county in which such borough, or the greater part thereof, is situate. In cases where a parliamentary borough is constituted by the combination of two or more

authority shall exercise the powers thereby given to them for the purposes of this section (*a*); and the provisions of the said section as to the local authority of a borough constituted by the combination of two or more municipal boroughs shall apply to a borough constituted by the combination of a municipal borough and other places, whether municipal boroughs or not (*b*); and in the case of a borough of which a town council is not the local authority, and which is not wholly situate within one petty sessional division, the justices of the peace for the county in which such borough or the larger part thereof in area is situate, assembled at some court of general or quarter sessions, or at some adjournment thereof shall be the local authority thereof, and shall for this purpose have

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municipal boroughs, then the local authority shall mean the town council of that municipal borough in which the nomination takes place.

(*a*) The powers given to a local authority for a county are, to divide the county into polling districts, and assign to each district a polling place, in such manner as to enable each voter, so far as practicable, to have a polling place within a convenient distance of his residence; and they shall advertise in such manner as they think fit, a description of the polling districts so constituted by them, and the name of the polling place assigned to each district, and shall name the polling places at which the revising barristers are to hold their courts; and no revising barrister shall be obliged to hold his courts at any polling places not so named.

The powers given to a local authority for a borough are, if they think convenience requires it, to divide the borough into polling districts.

A description of the polling districts made or altered in pursuance of the 30 & 31 Vict. c. 102, shall be advertised by the local authority in such manner as they think fit; and, lastly,

The local authority may, from time to time, alter any districts made by them under the Act.

As, therefore, the local authority under this Act are to exercise the powers so given to them, they may from time to time alter polling districts formed under this Act; and if such alteration be made after the 1st May, 1873, they must immediately send a copy of the order to the secretary of state, to be laid before parliament.

(*b*) See note (*g*), *supra*.

jurisdiction over the whole of such borough; and in the case of such borough and of a county, a court of general sessions shall be assembled within twenty-one days after the passing of this Act, and any such court may be assembled and adjourned from time to time for the purpose.

No election shall be questioned by reason of any non-compliance with this section or any informality relative to polling districts or polling places, and any order made by a local authority in relation to polling districts or polling places shall apply only to lists of voters made subsequently to its date, and to registers of voters formed out of such lists, and to elections held after the time at which a register of voters so formed has come into force: Provided that where any such order is made between the first day of July and the first day of November in any year, and does not create any new division between two or more polling districts of any parish for which a separate poor rate is or can be made (*c*), such order shall apply to the register of voters which comes into force next after such order is made, and to elections held after that register so comes into force; and the clerk of the peace or town clerk, as the case may be, shall copy, print, and arrange the lists of voters for the purpose of such register in accordance with such order.

Use of school and public room for poll.

6. The returning officer at a parliamentary election may use, free of charge, for the purpose of taking the poll at such election, any room in a school receiving a grant out of moneys provided by parliament (*d*), and any

(*c*) See 29 & 30 Vict. c. 113, s. 18, which defines a parish as "a place for which a separate poor rate is or can be made, or for which a separate overseer is or can be appointed."

(*d*) By sect. 3 of the Elementary Education Act, 1870, the term "parliamentary grant" means a grant made in aid of an elementary school, either annually or otherwise, out of monies provided by parliament for the civil service, intituled "for Public Education in Great Britain;" but here the word "school" only is used; and a question will arise whether it

room the expense of maintaining which is payable out of any local rate, but he shall make good any damage done to such room, and defray any expense incurred by the person or body of persons, corporate or unincorporate, having control over the same on account of its being used for the purpose of taking the poll as aforesaid.

The use of any room in an unoccupied house for the purpose of taking the poll shall not render any person liable to be rated or to pay any rate for such house (*a*).

Conclusiveness of register of voters.

7. At any election for a county or borough, a person shall not be entitled to vote unless his name is on the register of voters for the time being in force for such county or borough, and every person whose name is on such register shall be entitled to demand and receive a ballot paper and to vote: Provided that nothing in this section shall entitle any person to vote who is prohibited from voting by any statute, or by the common law of parliament, or relieve such person from any penalties to which he may be liable for voting (*b*).

Duties of Returning and Election Officers.

General powers and duties of

8. Subject to the provisions of this Act, every returning officer shall provide such nomination papers, polling

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applies to a room in a workhouse school, or a district school for pauper children, as well as to other schools receiving parliamentary grants. The word "room" will apply to a vestry-room or hall, provided under 13 & 14 Vict. c. 57; but a room is usually part of a building containing two or more rooms; and it would seem that a room in a workhouse, town hall (if maintained out of the borough rate), or even a room in the offices of the Metropolitan Board of Works, would come within the definition of a room, "the expense of maintaining which is payable out of any local rate."

(*a*) An unoccupied house means only an unfurnished house unoccupied during the intervals of letting.

(*b*) A list of persons who are legally incapacitated for voting at the election of a member of parliament is contained in Glen and Lovesy's third edition of the Representation of the People Act, 1867, p. 3.

stations, ballot boxes, ballot papers, stamping instruments copies of register of voters, and other things, appoint and pay such officers, and do such other acts and things as may be necessary for effectually conducting an election in manner provided by this Act. returning officer.

All expenses properly incurred by any returning officer in carrying into effect the provisions of this Act, in the case of any parliamentary election, shall be payable in the same manner as expenses incurred in the erection of polling booths at such election are by law payable (*c*).

Where the sheriff is returning officer for more than one county as defined for the purposes of parliamentary elections, he may, without prejudice to any other power, by writing under his hand, appoint a fit person to be his deputy for all or any of the purposes relating to an election in any such county, and may, by himself or such deputy, exercise any powers and do any things which the returning officer is authorised or required to exercise or do in relation to such election. Every such deputy, and also any under sheriff (*d*), shall, in so far as he acts as returning officer, be deemed to be included in the term returning officer in the provisions of this Act relating to parliamentary elections, and the enactments with which this part of this Act is to be construed as one (*e*).

9. If any person misconducts himself in the polling station, or fails to obey the lawful orders of the presiding officer, he may, immediately, by order of the presiding officer, be removed from the polling station by any constable in or near that station, or any other person autho- Keeping of order in station.

(*c*) By 2 Will. 4, c. 45, s. 71, the erection of polling booths shall be at the joint expense of the candidates, and may, if they think fit, be erected by contract with the candidates, or if not, then the returning officer shall erect them at the expense of the candidates.

(*d*) If the sheriff should die, the under sheriff is, by 3 Geo. 1, c. 15, s. 8, "to execute the same office, and all things belonging thereunto, in the name of the said deceased sheriff," until another is appointed.

(*e*) See sects. 15, 27, *post*, pp. 16, 34.

rised in writing by the returning officer to remove him; and the person so removed shall not, unless with the permission of the presiding officer, again be allowed to enter the polling station during the day (*a*).

Any person so removed as aforesaid, if charged with the commission in such station of any offence, may be kept in custody until he can be brought before a justice of the peace.

Provided that the powers conferred by this section shall not be exercised so as to prevent any elector who is otherwise entitled to vote at any polling station from having an opportunity of voting at such station.

Powers of presiding officer and administration of oaths, &c.

10. For the purpose of the adjournment of the poll, and of every other enactment relating to the poll, a presiding officer shall have the power by law belonging to a deputy returning officer; and any presiding officer and any clerk appointed by the returning officer to attend at a polling station shall have the power of asking the questions and administering the oath authorised by law to be asked of and administered to voters, and any justice of the peace and any returning officer may take and receive any declaration authorised by this Act to be taken before him.

Liability of officers for misconduct.

11. Every returning officer, presiding officer, and clerk who is guilty of any wilful misfeasance or any wilful act or omission in contravention of this Act shall, in addition to any other penalty or liability to which he may be subject, forfeit to any person aggrieved by such misfeasance, act, or omission a penal sum not exceeding one hundred pounds.

30 & 31 Vict. c. 102.

Section fifty of the Representation of the People Act, 1867, (which relates to the acting of any returning officer, or his partner or clerk, as agent for a candidate),

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(*a*) The returning officer will be the sole judge of the misconduct. See also clause 50, *post*, p. 57.

shall apply to any returning officer or officer appointed by him in pursuance of this Act, and to his partner or clerk (*b*).

Miscellaneous.

Prohibition of disclosure of vote.

12. No person who has voted at an election shall, in any legal proceeding to question the election or return, be required to state for whom he has voted (*c*).

Non-compliance with rules.

13. No election shall be declared invalid by reason of a non-compliance with the rules contained in the First Schedule to this Act (*d*), or any mistake in the use of the forms in the Second Schedule to this Act (*e*), if it appears to the tribunal having cognizance of the question that the election was conducted in accordance with the principles laid down in the body of this Act, and that such non-compliance or mistake did not affect the result of the election.

Use of municipal ballot boxes, &c. for parliamentary election, and vice versâ.

14. Where a parliamentary borough and municipal borough occupy the whole or any part of the same area, any ballot boxes or fittings for polling stations and compartments provided for such parliamentary borough or such municipal borough may be used in any municipal or parliamentary election in such borough free of charge, and any damage other than reasonable wear and tear

(*b*) The following is the enactment referred to:—"No returning officer for any county or borough, nor his deputy, nor any partner or clerk of either of them, shall act as agent for any candidate in the management or conduct of his election as a member to serve in parliament for such county or borough; and if any returning officer, his deputy, the partner or clerk of either of them, shall so act, he shall be guilty of a misdemeanor." As to the punishment for a misdemeanor, see sect. 3, *ante*.

(*c*) With regard to any such proceeding, see the Parliamentary Elections Act, 1868, and the Corrupt Practices (Municipal Elections) Act, 1872.

(*d*) See *post*, p. 39.

(*e*) See *post*, p. 66.

caused to the same shall be paid as part of the expenses of the election at which they are so used (*a*).

Construction of Act.

15. This part of this Act shall, so far as is consistent with the tenor thereof, be construed as one with the enactments for the time being in force relating to the representation of the people (*b*), and to the registration of persons entitled to vote at the election of members to serve in parliament, and with any enactments otherwise relating to the subject-matter of this part of this Act, and terms used in this part of this Act shall have the same meaning as in the said enactments; and in construing the said enactments relating to an election or to the poll or taking the votes by poll, the mode of election and of taking the poll established by this Act shall for the purposes of the said enactments be deemed to be substituted for the mode of election or poll, or taking the votes by poll, referred to in the said enactments; and any person applying for a ballot paper under this Act shall be deemed "to tender his vote," or "to assume to vote," within the meaning of the said enactments; and any application for a ballot paper under this Act, or expressions relative thereto, shall be equivalent to "voting" in the said enactments and any expressions relative thereto; and the term "polling booth" as used in the said enactments shall be deemed to include a polling station; and the term "proclamation" as used in the said enactments shall be deemed to include a public notice given in pursuance of this Act.

(*a*) As to the returning officer's expenses, see sect. 8, *ante*, and note thereon.

(*b*) The several Acts relating to the representation of the people will be found enumerated in the Tables of Statutes in Glen and Lovesy's Representation of the People Act, 1867, and Glen's Parliamentary Registration Manual.

As to the expression "polling place," see clause 57 of Sch. 1, *post*, p. 59.

Application of Part of Act to Scotland.

16. This part of this Act shall apply to Scotland, subject to the following provisions:— Alterations for application of Part I. to Scotland.

(1.) The expression "crime and offence" shall be equivalent to the expression "misdemeanor," and shall be substituted therefor;

(2.) All offences under this Act for which any person may be punished on summary conviction shall be prosecuted before the sheriff under the provisions of "The Summary Procedure Act, 1864;" and all jurisdictions, powers, and authorities necessary for that purpose are hereby conferred on sheriffs:

(3.) The expression "sheriff" shall include sheriff substitute:

(4.) The provisions of this Act relating to the division of counties and boroughs into polling districts shall not apply to Scotland:

(5.) The ballot boxes, ballot papers, stamping instruments, and other requisites for a parliamentary election shall be provided and paid for in the same manner as polling rooms or booths under the fortieth section of the Act of the second and third years of the reign of King William the Fourth, chapter sixty-five, intituled "An Act to amend the Representation of the People in Scotland;" and the reasonable remuneration of presiding officers, assistants, and clerks employed by the returning officer at such an election, and all other expenses properly incurred by the returning officer, and by sheriff clerks and town clerks, in carrying into effect the provisions of this Act, shall be paid by the candidates; provided always, that if any person shall be proposed as a candidate without his consent the person so proposing him shall be liable to defray

his share of all those expenses in like manner as if he had been a candidate himself; provided also, that the fee to be paid to each presiding officer shall in no case exceed the sum of three guineas per day, and the fee to be paid to each assistant to the returning officer shall not exceed two guineas per day, and the fee to be paid to each clerk shall not exceed one guinea per day.

Application of Part of Act to Ireland.

Alterations for application of Part I. to Ireland.

17. This part of this Act shall apply to Ireland, subject to the following modifications:—

(1.) The expression "Clerk of the Crown in Chancery" shall mean the Clerk of the Crown and Hanaper in Ireland:—

(2.) The preceding provisions of this part of this Act with respect to the division of counties and boroughs into polling districts shall not extend to Ireland:

(3.) In the construction of the preceding provisions of this part of this Act as applying to Ireland, section thirteen of "The Representation of the People (Ireland) Act, 1868," shall be substituted for section fifty of "The Representation of the People Act, 1867," wherever in such provisions the said last-mentioned section occurs. The provision contained in the sixth section of this Act providing for use of school rooms free of charge, for the purpose of taking the poll at elections, shall not apply to any school adjoining or adjacent to any church or other place of worship, nor to any school connected with a nunnery or other religious establishment:

(4.) No returning officer shall be entitled to claim, or be paid, any sum or sums of money for the erection of polling booths or stations and com-

partments other than the sum or sums actually and necessarily incurred and paid by him in reference to the same, any statute or statutes to the contrary now in force notwithstanding, nor shall the expenses of providing sufficient polling stations or booths and compartments at every polling place exceed the sum or sums now given and allowed by statute in Ireland.

Provisions as to polling districts and polling places in Ireland.

18. With respect to polling districts and polling places in Ireland, the following regulations shall have effect; that is to say,

(1.) The Lord Lieutenant, by and with the advice of the Privy Council in Ireland, shall appoint special sessions to be held by the chairman of quarter sessions and justices of the peace having jurisdiction in each county or riding of a county in Ireland, at such places and times before the first day of November next after the passing of this Act as shall seem fit for the purpose of dividing such county or riding into polling districts and appointing polling places for such districts:

(2.) The clerk of the said Privy Council shall cause each such appointment to be notified to the clerk of the peace of the county to which the same relates, and shall cause notice of the same to be published twice in each of two consecutive weeks in one or more newspapers usually circulated in such county, and once in the Dublin Gazette:

(3.) The clerk of the peace of each county in Ireland shall, within five days after the receipt of such notification as aforesaid, send a written or printed notice of the same to the chairman and to every justice of the peace having jurisdiction within the county or riding to which the same relates:

(4.) The chairman of quarter sessions and the justices of the peace having jurisdiction in any county or riding assembled at such special sessions appointed in manner aforesaid, or at any adjournment of the same before the first day of December next after the passing of this Act, shall make an order dividing such county or riding of a county into polling districts, and appointing in each such polling district a place (in this section referred to as a "polling place") for taking the poll at contested elections of members to serve in parliament for such county:

(5.) Every such division shall be made in such manner so that, as far as practicable, every building or place in such county in which petty sessions are at the time of the passing of this Act held shall be a polling place: Provided always, that where it appears to the chairman and justices assembled at special sessions that, for the purpose of affording full facilities for taking the poll at contested elections, there should be polling places in addition to such buildings or places where petty sessions are held as aforesaid, they shall appoint so many polling places in addition to such buildings or places as they may think necessary, and constitute a polling district for each such polling place:

(6.) Every order shall specify the barony or baronies, half barony or half baronies, townland or townlands, parish or parishes, and places constituting each such polling district:

(7.) A copy of every such order shall forthwith be sent by the clerk of the peace for such county to the clerk of the said Privy Council, who thereupon shall submit the same for confirmation by the Lord Lieutenant and Privy Council in Ireland, in the manner by this Act

provided, and such order shall not be of any validity until the same has been so confirmed:

(8.) Notice of the intended confirmation of any such order shall be given by the clerk of the said Privy Council at least one month before the day fixed for such confirmation by the publication of such notice and order in one or more newspapers circulating within such county or riding to which the order has reference:

(9.) It shall be lawful for the Lord Lieutenant and Privy Council, on the day fixed for the intended confirmation of any such order, to confirm the same as it stands, or with such variation, alteration, or modification as may seem fit: Provided always, that where any person is dissatisfied with any such order it shall be lawful for such person, within fourteen days after the publication of the notice of the intended confirmation of such order, to appeal against the same, and such appeal shall be in writing, stating the grounds thereof, and shall be signed by such person, and shall within such time be lodged with the clerk of the Privy Council; and it shall be lawful for the Lord Lieutenant and Privy Council, previous to the confirmation of any such order, to hear and determine such appeal against the same, and to make such order as to the costs of such appeal as may seem meet:

(10.) When any such order has been confirmed as aforesaid, the clerk of the said Privy Council shall transmit a copy of the same to the clerk of the peace of the county to which the same relates, and shall cause the same to be published once in the Dublin Gazette, and once in the newspaper in which the notice of intended confirmation was published:

(11.) The provisions of the Act of the session of the twenty-seventh and twenty-eighth years of the reign of Her present Majesty, chapter twenty-two, for ascertaining the voters in the new or altered polling districts referred to in the ninth section of the said Act, and for making separate lists of voters, and otherwise in relation thereto, shall extend and apply to every case in which any order in relation to any county has been confirmed under the authority of this section, in like manner as if such sections were herein re-enacted, and the polling districts to which the same refer or apply had been polling districts constituted under the authority of this section; and the register of voters in force in such county at the time of confirming such order as amended by the printed books given into the custody of the sheriff of such county in manner by the said Act provided, and the said printed books, shall be the register of persons entitled to vote at any election of a member or members to serve in parliament which shall take place in and for such county until the first day of January next after the giving of the said books as aforesaid: Provided always, that in the construction of the said provisions, the terms "the passing of this Act" and the "said Act" shall respectively be construed to mean the confirming of any order made under the authority of this section and this Act:

(12.) At any election of a member or members to serve in parliament for any county to which any such order relates held after the confirming of any such order, and before the register of voters to be formed subsequently to the date of the confirming of such order under the provisions of this section shall be in force, the poll

shall be taken as if no such order had been made:

(13.) All precepts, notices, and forms relating to the registration of voters shall be framed and expressed in such manner and form as may be necessary for the carrying the provisions of this Act into effect:

(14.) When the chairman of quarter sessions and justices of the peace having jurisdiction in any county or riding in Ireland, assembled at any general or quarter sessions in any division of such county or riding are of opinion that for the purpose of affording further facilities for polling at contested elections there should be within such district polling places in addition to the places appointed in manner aforesaid, they may by resolution determine that at the next general or quarter sessions in such division of such county the necessity for such additional polling places shall be considered by the chairman and justices assembled at the same.

(15.) The clerk of the peace of such county shall, within five days after the making of such resolution, send a written or printed copy of the same to the chairman and to every justice of the peace having jurisdiction within the county to which the same relates, and shall cause a copy of such resolution to be published twice in each of two consecutive weeks in some newspaper circulated in such county.

(16.) The said chairman and justices assembled at such general or quarter sessions holden next after the making of such resolution shall consider whether additional polling places are necessary, and if they are of such opinion they may, by an order to be made in like manner and subject to the same provisions as to the making, confirming, and taking effect of the same as

are in this section contained in relation to orders to be made at special sessions under the authority of the same, appoint such other places to be polling places as they shall think fit, and shall constitute polling districts for such polling places:

(17.) No election shall be questioned by reason of any polling district not having been constituted in conformity with the provisions of this Act, or by reason of any informality relative to any polling district:

(18.) When any day fixed for taking the poll at any election is the day fixed for the holding of the petty sessions court at any polling place, the court shall stand ipso facto adjourned till the next day, which shall in that case be the legal day for holding said court, and if that day be a Sunday or legal holiday, till the next day.

(19.) The term "the Lord Lieutenant" in this section shall mean the Lord Lieutenant of Ireland and the lords justices or other chief governors or governor of Ireland for the time being, and the term "chairman of quarter sessions" in this section shall include any person duly appointed to do the duty of such chairman during his sickness or absence.

Amendment of law as to voting in wards in certain boroughs.

19. Where the name of any person is required to be inserted in any list of voters for any ward of any city, town, or borough under the provisions of section seven of the Act passed in the session of parliament held in the thirteenth and fourteenth years of the reign of Her present Majesty, chapter sixty-eight, as qualified in respect of any property qualification, or as the occupier of any lands, tenements, or hereditaments situate in whole or in part beyond the limits of such ward, then and in every such case the names so required to be inserted shall be placed in alphabetical order in a separate part of such list to be styled "the list of rural or out

votes of such ward," and the property, lands, tenements and hereditaments in respect of which such person is qualified as aforesaid shall for the purposes of the said Act and the Acts amending the same, in relation to the providing of booths and compartments within each ward of any city, town, or borough, and the voting therein of persons entitled to vote in respect of any such qualifications aforesaid, be deemed to constitute a separate ward: Provided always, that the name of any such person shall not be placed in such separate list if such person shall, in writing under his hand, object thereto and if such objection is delivered to such clerk of the peace on or before the twenty-fifth day of August next preceding the making of such list under the provisions aforesaid, and in such case in relation to such person the provisions of this section shall not apply.

PART II.

MUNICIPAL ELECTIONS.

Application to municipal election of enactments relating to the poll at parliamentary elections.

20. The poll at every contested municipal election shall, so far as circumstances admit, be conducted in the manner in which the poll is by this Act directed to be conducted at a contested parliamentary election (*a*), and, subject to the modifications expressed in the schedule, annexed hereto, such provisions of this Act and of the said schedules as relate to or are concerned with a poll at a parliamentary election shall apply to a poll at a contested municipal election: Provided as follows:

(1.) The term "returning officer" shall mean the mayor or other officer who, under the law relating to municipal elections, presides at such elections:

(*a*) See *post*, pp. 44—50.

(2.) The term "petition questioning the election or return" shall mean any proceeding in which a municipal election can be questioned (*a*):

(3.) The mayor shall provide everything which in the case of a parliamentary election is required to be provided by the returning officer for the purpose of a poll (*b*):

(4.) All expenses shall be defrayed in manner provided by law with respect to the expenses of a municipal election (*c*):

(5.) No return shall be made to the Clerk of the Crown in Chancery (*d*):

(6.) Nothing in this Act shall be deemed to authorise the appointment of any agents of a candidate in a municipal election, but if in the case of a municipal election any agent of a candidate is appointed, and a notice in writing of such appointment is given to the returning officer, the provisions of this Act with respect to agents of candidates shall, so far as respects such agent, apply in the case of that election (*e*):

(7.) The provisions of this Act with respect to—

(*a.*) The voting of a returning officer; and

(*b.*) The use of a room for taking a poll (*f*); and

(*a*) As to the manner in which municipal elections are to be questioned, see the Corrupt Practices (Municipal Elections) Act, 18.2.

(*b*) See sect. 8, *ante e*, p. 12.

(*c*) By 5 & 6 Will. 4, c. 76, s. 92, the expenses incurred from time to time in preparing and printing burgess lists, ward lists and notices, and other matters attending municipal elections, are payable out of the borough funds.

(*d*) See the 37th rule in the first schedule to the Act, *post*, p. 52.

(*e*) As to agents of candidates, see the 29th, 31st, and subsequent rules in the first schedule of this Act.

(*f*) See sect. 6, *ante*, as to rooms which may used for taking a poll.

(*c.*) The right to vote of persons whose names are on the register of voters;

shall not apply in the case of a municipal election.

A municipal election shall, except in so far as relates to the taking of the poll in the event of its being contested, be conducted in the manner in which it would have been conducted if this Act had not passed (*g*).

Abolition of ward assessors.

21. Assessors shall not be elected in any ward of any municipal borough (*h*), and a municipal election need not be held before the assessors or their deputies, but may be held before the mayor, alderman, or other returning officer only (*i*).

Application of Part of Act to Scotland.

Alterations for application of Part II. to Scotland.

22. This part of this Act shall apply to Scotland, subject to the following provisions:—

(1.) The term "mayor" shall mean the provost or other chief magistrate of a municipal borough, as defined by this Act:

(2.) All municipal elections shall be conducted in the same manner in all respects in which elections

(*g*) As to municipal elections, see 5 & 6 Will. 4, c. 76, ss. 30—36.

Having regard to the latter part of this section, the nomination paper for a municipal election (*post*, p. 69), will be signed as heretofore, and not by two persons as "proposers" and eight as "seconders."

(*h*) As to the election of assessors for wards, see 5 & 6 Will. 4, c. 76, s. 43. They will still be elected for boroughs under sect. 37 of that Act.

(*i*) See 5 & 6 Will. 4, c. 76, s. 32, as to elections before the mayor.

In the case of the death, or absence, or incapacity of the mayor, the council are forthwith to elect one of the aldermen to execute all powers and duties of the mayor, with respect to the election, in place of the mayor; 5 & 6 Will. 4, c. 76, s. 36.

of councillors in the royal burghs contained in Schedule C. to the Act of the session of the third and fourth years of the reign of King William the Fourth chapter seventy-six, intituled "An Act to alter and amend the laws for the election of the Magistrates and Councillors of the Royal Burghs in Scotland," are directed to be conducted by the Acts in force at the time of the passing of this Act as amended by this Act; and all such Acts shall apply to such elections accordingly.

Application of Part of Act to Ireland.

Alterations for application of Part II. to Ireland.

23. This part of this Act shall apply to Ireland, with the following modifications:—

(1.) The term "mayor" shall include the chairman of commissioners, chairman of municipal commissioners, chairman of town commissioners, and chairman of township commissioners:

22 Vict. c. 35.

(2.) The provisions of "The Municipal Corporation Act, 1859," following; that is to say, section five and section six, and section seven except so much thereof as relates to the form of nomination papers, and section eight except so much thereof as relates to assessors, shall extend and apply to every municipal borough in Ireland, and shall be substituted for any provisions in force in relation to the nomination at municipal elections: Provided always, that the term "councillor" in these sections shall for the purposes of this section include alderman, commissioner, municipal commissioner, town commissioner, township commissioner, or assessor of any municipal borough.

PART III.

PERSONATION.

Definition and punishment of personation.

24. The following enactment shall be made with respect to personation at parliamentary and municipal elections (*a*):

A person shall for all purposes of the laws relating to parliamentary and municipal elections be deemed to be guilty of the offence of personation who at an election for a county or borough, or at a municipal election, applies for a ballot paper in the name of some other person, whether that name be that of a person living or dead or of a fictitious person, or who having voted once at any such election applies at the same election for a ballot paper in his own name (*b*).

The offence of personation, or of aiding, abetting, counselling, or procuring the commission of the offence of personation by any person, shall be a felony, and any person convicted thereof shall be punished by imprisonment for a term not exceeding two years together with hard labour. It shall be the duty of the returning officer to institute a prosecution against any person whom he may believe to have been guilty of personation, or of aiding, abetting, counselling, or procuring the commission of the offence of personation by any person, at the election for which he is returning officer, and the costs and expenses of the prosecutor and the witnesses in such case, together with compensation for their trouble and loss of time, shall be allowed by the court in the same manner in which courts are empowered to allow the same in cases of felony.

(*a*) As to other offences at an election, see sect. 3, *ante*.

(*b*) With regard to the "ballot paper," see the 24th to the 27th rules in the first schedule to this Act, *post*, pp. 47, 48.

The provisions of the Registration Acts, specified in the Third Schedule to this Act, shall in England and Ireland respectively apply to personation under this Act in the same manner as they apply to a person who knowingly personates and falsely assumes to vote in the name of another person as mentioned in the said Acts (*a*).

(*a*) The following are the provisions of the English Registration Act, 6 & 7 Vict. c. 18, here referred to :—

85. And for the more effectual detection of the personation of voters at elections, be it enacted, that it shall be lawful for any candidate, at any election of a member or members to serve in parliament for any county, city, or borough, previous to the time fixed for taking the poll at such election, to nominate and appoint an agent or agents on his behalf to attend at each or any of the booths appointed for taking the poll at such election, for the purpose of detecting personation; and such candidate shall give notice in writing to the returning officer, or his respective deputy, of the name and address of the person or persons so appointed by him to act as agents for such purpose; and thereupon it shall be lawful for every such agent to attend during the time of polling at the booth or booths for which he shall have been so appointed.

86. And be it enacted, that if at the time any person tenders his vote at such election, or after he has voted, and before he leaves the polling booth, any such agent so appointed as aforesaid shall declare to the returning officer, or his respective deputy, presiding therein, that he verily believes, and undertakes to prove, that the said person so voting is not in fact the person in whose name he assumes to vote, or to the like effect, then and in every such case it shall be lawful for the said returning officer, or his said deputy, and he is hereby required, immediately after such person shall have voted, by word of mouth to order any constable or other peace officer to take the said person so voting into his custody, which said order shall be a sufficient warrant and authority to the said constable or peace officer for so doing: Provided always, that nothing herein contained shall be construed or taken to authorize any returning officer, or his deputy, to reject the vote of any person who shall answer in the affirmative the questions authorized by this Act to be put to him at the time of polling, and shall take the oaths or make the affirmations authorized and required of him; but the said returning officer, or his deputy, shall cause the words, "protested

against for personation," to be placed against the vote of the person so charged with personation when entered in the poll book.

87. And be it enacted, that every such constable or peace officer shall take the person so in his custody, at the earliest convenient time, before some two justices of the peace acting in and for the county, city, or borough within which the said person shall have so voted as aforesaid: Provided always, that in case the attendance of two such justices as aforesaid cannot be procured within the space of three hours after the close of the poll on the same day on which such person shall have been so taken into custody, it shall be lawful for the said constable or peace officer, and he is hereby required, at the request of such person so in his custody, to take him before any one justice of the peace acting as aforesaid, and such justice is hereby authorized and required to liberate such person on his entering into a recognizance with one sufficient surety, conditioned to appear before any two such justices as aforesaid, at a time and place to be specified in such recognizance, to answer the said charge; and if no such justice shall be found within four hours after the closing of the said poll, then such person shall forthwith be discharged from custody: Provided also, that if in consequence of the absence of such justices as aforesaid, or for any other cause, the said charge cannot be inquired into within the time aforesaid, it shall be lawful nevertheless for any two such justices as aforesaid to inquire into the same on the next or on some other subsequent day, and, if necessary, to issue their warrant for the apprehension of the person so charged.

88. And be it enacted, that if on the hearing of the said charge the said two justices shall be satisfied, upon the evidence on oath of not less than two credible witnesses, that the said person so brought before them has knowingly personated and falsely assumed to vote in the name of some other person within the meaning of this Act, and is not in fact the person in whose name he voted, then it shall be lawful for the said two justices to commit the said offender to the gaol of the county, city, or borough within which the offence was committed, to take his trial according to law, and to bind over the witnesses in their respective recognizances to appear and give evidence on such trial as in the case of other misdemeanors.

89. And be it enacted, that if the said justices shall on the hearing of the said charge be satisfied that the said person so charged with personation is really and in truth the person in whose name he voted, and that the

The offence of personation shall be deemed to be a corrupt practice within the meaning of the Parliamentary Elections Act, 1868 (*a*).

If, on the trial of any election petition questioning the election or return for any county or borough, any candidate is found by the report of the judge by himself or his agents to have been guilty of personation, or by himself or his agents to have aided, abetted, counselled, or procured the commission at such election of the

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charge of personation has been made against him without reasonable or just cause, or if the agent so declaring as aforesaid, or some one on his behalf, shall not appear to support such charge before the said justices, then it shall be lawful for the said justices and they are hereby required to make an order in writing under their hands, on the said agent so declaring as aforesaid, to pay to the said person so falsely charged, if he shall consent to accept the same, any sum not exceeding the sum of ten pounds nor less than five pounds, by way of damages and costs; and if the said sum shall not be paid within twenty-four hours after such order shall have been made, then the same shall be levied, by warrant under the hand and seal of any justice of the peace acting as aforesaid, by distress and sale of the goods and chattels of the said agent; and in case no sufficient goods or chattels of the said agent can be found on which such levy can be made, then the same shall be levied in like manner on the goods and chattels of the candidate by whom such agent was so appointed to act; and in case the said sum shall not be paid or levied in the manner aforesaid, then it shall be lawful for the said person to whom the said sum of money was so ordered to be paid to recover the same from the said agent or candidate, with full costs of suit, in an action of debt to be brought in any one of Her Majesty's superior courts of record at Westminster: Provided always, that if the person so falsely charged shall have declared to the said justices his consent to accept such sum as aforesaid by way of damages and costs, and if the whole amount of the sum so ordered to be paid shall have been paid or tendered to such person, in every such case, but not otherwise, the said agent, candidate, and every other person shall be released from all actions or other proceedings, civil or criminal, for or in respect of the said charge and apprehension.

(*a*) With regard to the punishment of corrupt practices, see sects. 43—47 of the Parliamentary Elections Act, 1868.

offence of personation by any person, such candidate shall be incapable of being elected or sitting in parliament for such county or borough during the parliament then in existence (*b*).

Vote to be struck off for bribery, treating, or undue influence.

25. Where a candidate, on the trial of an election petition claiming the seat for any person, is proved to have been guilty, by himself or by any person on his behalf, of bribery, treating, or undue influence in respect of any person who voted at such election, or where any person retained or employed for reward by or on behalf of such candidate for all or any of the purposes of such election, as agent, clerk, messenger, or in any other employment, is proved on such trial to have voted at such election, there shall, on a scrutiny, be struck off from the number of votes appearing to have been given to such candidate one vote for every person who voted at such election and is proved to have been so bribed, treated, or unduly influenced, or so retained or employed for reward as aforesaid.

Alterations in Act as applying to Scotland.

26. This part of this Act shall apply to Scotland, subject to the following provision:—

The offence of personation shall be deemed to be a crime and offence, and the rules of the law of Scotland with respect to apprehension, detention, precognition, commitment, and bail shall apply thereto, and any person accused thereof may be brought to trial in the court of justiciary, whether in Edinburgh or on circuit, at the instance of the Lord Advocate, or before the sheriff court, at the instance of the procurator fiscal.

(*b*) Note that this disqualification applies only to the parliament then in existence. The disqualification resulting from being found guilty of corrupt practices under the Act of 1868, endures for the seven years next after the date of being found guilty.

Construction of part of Act.

27. This part of this Act, so far as regards parliamentary elections, shall be construed as one with "The Parliamentary Elections Act, 1868," and shall apply to an election for a university or combination of universities (*a*).

PART IV.

MISCELLANEOUS.

Effect of schedules.

28. The schedules to this Act, and the notes thereto, and directions therein, shall be construed and have effect as part of this Act.

Definitions. "Municipal borough."

29. In this Act—

The expression "municipal borough" means any place for the time being subject to the Municipal Corporation Acts, or any of them (*b*):

(*a*) The universities in England entitled to return members to Parliament, are Oxford, Cambridge, and London. The combination of universities refers to Scotland.

(*b*) The following is a list of municipal boroughs in England under the 5 & 6 Will. 4, c. 76, corrected to the present time:—

Aberavon*	Bewdley	Burnley*
Aberystwyth	Bideford	Bury St. Edmunds
Abingdon	Birmingham*	Calne
Andover	Blackburn*	Cambridge
Arundel	Blandford Forum	Canterbury
Ashton-under-Lyne*	Bodmin	Cardiff
Banbury	Bolton*	Cardigan
Barnstaple	Bootle-cum-Linacre*	Carlisle
Barrow-in-Furness*	Boston*	Carmarthen
Basingstoke	Bradford (Yorks.)	Carnarvon
Bath	Brecon	Chard
Batley*	Bridgenorth	Chester
Beaumaris	Bridgwater	Chesterfield
Beccles	Bridport	Chichester
Bedford	Brighton*	Chippenham
Berwick-on-Tweed	Bristol	Chipping Norton
Beverley	Buckingham	Clitheroe
		Colchester

The expression "Municipal Corporation Acts" means— "Municipal Corporation Acts:"

(*a.*) As regards England, the Act of the session of the fifth and sixth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to provide for the regulation of municipal corporations in England and Wales," and the Acts amending the same:

(*b.*) As regards Scotland, the Act of the session of the third and fourth years of the reign of King William the Fourth, chapter seventy-six, intituled "An Act to alter and amend the laws for the election of Magistrates and Councillors of the Royal Burghs in Scotland,"

Congleton
Coventry
Darlington*
Dartmouth
Daventry
Deal
Denbigh
Derby
Devizes
Devonport*
Dewesbury*
Doncaster
Dorchester
Dover
Droitwich
Dudley*
Dunstable*
Durham
East Retford
Evesham
Exeter
Eye
Falmouth
Faversham
Flint
Folkestone
Gateshead
Glastonbury
Glossop*
Gloucester
Godalming*
Godmanchester
Grantham
Gravesend
Grimsby
Guildford
Halifax*
Hanley & Shelton*
Hartlepool*
Harwich
Hastings
Haverfordwest
Hedon*
Helston
Hereford
Hertford
Honiton*
Huddersfield*
Huntingdon
Hythe
Ipswich
Kendal
Kidderminster
Kingston-upon-Hull
Kingston-upon-Thames
King's Lynn
Lancaster
Launceston
Leeds
Leicester
Leominster
Lewes*
Lichfield
Lincoln
Liskeard
Liverpool
Llandovery
Llanidloes
Longton*
Louth
Ludlow
Lyme Regis
Lymington
Macclesfield
Maidenhead
Maidstone
Maldon
Manchester*
Margate*
Marlborough
Middlesborough*
Monmouth
Morpeth
Neath
Newark

and the Act of the same session, chapter seventy-seven, intituled "An Act to provide for the appointment and election of Magistrates and Councillors for the several Burghs and Towns of Scotland which now return or contribute to return Members to Parliament, and are not Royal Burghs," and the Act of the session of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter thirty-three, intituled "An Act to

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Newbury
Newcastle-under-Lyne
Newcastle-upon-Tyne
Newport (I. of W.)
Newport (Mon.)
Northampton
Norwich
Nottingham
Oldham*
Oswestry
Oxford
Pembroke
Penryn
Penzance
Plymouth
Pontefract
Poole
Portsmouth
Preston
Pwllheli
Reading
Reigate*
Richmond (Yorks.)
Ripon
Rochdale*
Rochester
Romsey
Rotherham*
Ruthin
Ryde*
Rye
St. Alban's
St. Helens (Lancaster)*
St. Ives
Saffron Walden
Salford*
Sandwich
Sarum, New
Scarborough
Shaftesbury
Sheffield*
Shrewsbury
Southampton
South Molton
Southport*
South Shields*
Soth Wold
Stafford
Staleybridge*
Stamford
Stockport
Stockton
Stratford-on-Avon
Sudbury
Sunderland
Swansea
Tamworth
Tenby
Tenterden
Tewkesbury
Thetford
Tiverton
Torrington
Totnes
Truro
Tynemouth*
Wakefield*
Wallingford
Walsall
Warrington*
Warwick
Welchpool
Wells
Wenlock
Weymouth and Melcombe Regis
Wigan
Winchester
Windsor
Wisbeach
Worcester
Wolverhampton*
Wrexham*
Yarmouth, Great
Yeovil*
York
Wycombe

The boroughs marked with an asterisk have had charters granted to them, constituting them municipal boroughs since the 5 & 6 Will. 4, c. 76.

make more effectual provision for regulating the Police of Towns and populous Places in Scotland, and for paving, draining, cleansing, lighting, and improving the same;" and "The General Police and Improvement (Scotland) Act, 1862," and any Acts amending the same:

(*c.*) As regards Ireland, the Act of the session of the third and fourth years of the reign of Her present Majesty, chapter one hundred and eight, intituled "An Act for the Regulation of Municipal Corporations in Ireland," the Act of the ninth year of George the Fourth, chapter eighty-two, The Towns Improvement (Ireland) Act, 1854, and every local and personal Act providing for the election of commissioners in any towns or places for purposes similar to the purposes of the said Acts.

"Municipal election."

The expression "municipal election" means—

(*a*) As regards England, an election of any person to serve the office of councillor, auditor, or assessor of any municipal borough, or of councillor for a ward of a municipal borough; and

(*b.*) As regards Scotland, an election of any person to serve the office of councillor or commissioner of any municipal borough, or of a ward or district of any municipal borough:

(*c.*) As regards Ireland, an election of any person to serve the office of alderman, councillor, commissioner, municipal commissioner, town commissioner, township commissioner, or assessor of any municipal borough.

Application of Act.

30. This Act shall apply to any parliamentary or municipal election which may be held after the passing thereof.

Saving.

31. Nothing in this Act, except Part III. thereof, shall apply to any election for a university or combination of universities (*a*).

Repeal.

Repeal of Acts in schedules.

32. The Acts specified in the fourth, fifth, and sixth schedules to this Act, to the extent specified in the third column of those schedules, and all other enactments inconsistent with this Act, are hereby repealed.

Provided that this repeal shall not affect—

(*a.*) Anything duly done or suffered under any enactment hereby repealed; or

(*b.*) Any right or liability acquired, accrued, or incurred under any enactment hereby repealed; or

(*c.*) Any penalty, forfeiture, or punishment incurred in respect of any offence committed against any enactment hereby repealed; or

(*d.*) Any investigation, legal proceeding, or remedy in respect of any such right, liability, penalty, forfeiture, or punishment as aforesaid; and any such investigation, legal proceeding, and remedy may be carried on as if this Act had not passed.

Short title.

33. This Act may be cited as The Ballot Act, 1872, and shall continue in force till the thirty-first day of December one thousand eight hundred and eighty, and no longer, unless parliament shall otherwise determine; and on the said day the Acts in the fourth, fifth and sixth schedules shall be thereupon revived; provided that such revival shall not affect any act done, any rights acquired, any liability or penalty incurred, or any proceeding pending under this Act, but such proceeding shall be carried on as if this Act had continued in force.

(*a*) See note to sect. 27, *ante*, p. 34.

SCHEDULES.

FIRST SCHEDULE.

PART I.

Rules for Parliamentary Elections.

Election.

1. The returning officer shall, in the case of a county election, within two days after the day on which he receives the writ, and in the case of a borough election, on the day on which he receives the writ or the following day, give public notice (*b*), between the hours of nine in the morning and four in the afternoon, of the day on which and the place at which he will proceed to an election, and of the time appointed for the election, and of the day on which the poll will be taken in case the election is contested, and of the time and place at which forms of nomination papers may be obtained, and in the case of a county election shall send one of such notices

(*b*) See the form of notice of parliamentary election, *post*, p. 67. Note that this rule does not class a *district borough* with a county, as is the case in the next rule, p. 40.

By s. 61 of the 2 Will. 4, c. 45, the sheriffs of counties are to cause proclamation to be made in each division of their respective counties of the days fixed for the election; that is, for each division respectively at the place fixed by the Boundary Act as the principal place of election for that division;

by post, under cover, to the postmaster of the principal post office of each polling place in the county, endorsed with the words, "Notice of election," and the same shall be forwarded free of charge; and the postmaster receiving the same shall forthwith publish the same in the manner in which post office notices are usually published (*a*).

2. The day of election shall be fixed by the returning officer as follows; that is to say, in the case of an election for a county or a district borough not later than the ninth day after the day on which he receives the writ, with an interval of not less than three clear days between the day on which he gives the notice and the day of election; and in the case of an election for any borough other than a district borough not later than the fourth day after the day on which he receives the writ, with an interval of not less than two clear days between the day on which he gives the notice and the day of election (*b*).

3. The place of election shall be a convenient room situate in the town in which such election would have been held if this Act had not passed, or where the elec-

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and in counties not divided, notice must be given as before the 2 Will. 4, c. 45, that is, by causing proclamation to be made at the place where the ensuing election ought by law to be holden, of a special county court, to be there holden for the purpose of such election only (25 Geo. 3, c. 84, s. 4). In boroughs the returning officer is, by 16 & 17 Vict. c. 68, s. 3, to cause proclamation to be made in the borough.

(*a*) Note that it is the "principal" post office of the polling place to which the notice is to be sent. It will not suffice to send it to the sub-post office of the polling place; and it will no doubt often happen that the principal post office is at some distance from the polling place.

Post office notices are usually published by affixing them on the wall immediately adjoining the post-office window or letter receiving box.

(*b*) A table for nomination and taking the poll has been computed for this work. See *post*, p. 93. See also note to rule 14, *post*.

tion would not have been held in a town, then situate in such town in the county as the returning officer may from time to time determine as being in his opinion most convenient for the electors (*c*).

4. The time appointed for the election shall be such two hours between the hours of ten in the forenoon and three in the afternoon as may be appointed by the returning officer, and the returning officer shall attend during those two hours and for one hour after (*d*).

5. Each candidate shall be nominated by a separate nomination paper, but the same electors or any of them may subscribe as many nomination papers as there are vacancies to be filled, but no more (*e*).

6. Each candidate shall be described in the nomination paper in such manner as in the opinion of the returning officer is calculated to sufficiently identify such candidate; the description shall include his names, his abode, and his rank, profession, or calling, and his surname shall come first in the list of his names. No objection to a nomination paper on the ground of the description of the candidate therein being insufficient, or not being in compliance with this rule, shall be allowed or deemed valid, unless such objection is made by the returning officer, or by some other person, at or immediately after the time of the delivery of the nomination paper (*f*).

7. The returning officer shall supply a form of nomination paper to any registered elector requiring the same

(*c*) The room to be used as the "place of election" is different from the room for the purpose of taking the poll, referred to in sect. 6, *ante*. That section will not apply to the room used as the place of election.

(*d*) The "two hours" and one hour after must be consecutive hours.

(*e*) See the form of nomination paper, *post*, p. 68.

(*f*) See also rule 12, *post*, p. 44, as to objections.

during such two hours as the returning officer may fix, between the hours of ten in the morning and two in the afternoon on each day intervening between the day on which notice of the election was given and the day of election, and during the time appointed for the election; but nothing in this Act shall render obligatory the use of a nomination paper supplied by the returning officer, so, however, that the paper be in the form prescribed by this Act.

8. The nomination papers shall be delivered to the returning officer at the place of election during the time appointed for the election (*a*): and the candidate nominated by each nomination paper, and his proposer and seconder, and one other person selected by the candidate (*b*), and no person other than aforesaid, shall, except for the purpose of assisting the returning officer, be entitled to attend the proceedings during the time appointed for the election (*c*).

9. If the election is contested the returning officer shall, as soon as practicable after adjourning the election (*d*), give public notice of the day on which the poll will be taken (*e*), and of the candidates described as in their respective nomination papers, and of the names of the persons who subscribe the nomination paper of each candidate, and of the order in which the names of the candidates

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(*a*) See rule 4, *ante*, p. 41, as to the time of election.

(*b*) See rule 31, *post*, p. 51, as to the appointment of agents.

(*c*) It may happen that the same candidate is nominated in more than one nomination paper; but the Act is silent as to such a contingency.

(*d*) As to the adjournment of the election, see sect. 1, *ante*, p. 2.

(*e*) See rule 14, *post*, p. 44, as to the day on which the poll is to be taken.

will be printed in the ballot paper, and, in the case of an election for a county, deliver to the postmaster of the principal post office of the town in which is situate the place of election (*f*) a paper, signed by himself, containing the names of the candidates nominated, and stating the day on which the poll is to be taken, and the postmaster shall forward the information contained in such paper by telegraph, free of charge, to the several postal telegraph offices situate in the county for which the election is to be held, and such information shall be published forthwith at each such office in the manner in which post office notices are usually published.

10. If any candidate nominated during the time appointed for the election is withdrawn in pursuance of this Act (*g*), the returning officer shall give public notice of the name of such candidate, and the names of the persons who subscribed the nomination paper of such candidate, as well as of the candidates who stood nominated or were elected.

11. The returning officer shall, on the nomination paper being delivered to him, forthwith publish notice of the name of the person nominated as a candidate, and of the names of his proposer and seconder, by placarding or causing to be placarded the names of the candidate and his proposer and seconder in a conspicuous position outside the building in which the room is situate appointed for the election (*h*).

(*f*) See note to rule 1, *ante*, p. 40, as to the "principal post office."

(*g*) As to the withdrawal of a candidate, see sect. 1, *ante*, p. 2.

(*h*) Each candidate, as he is nominated, will be posted as directed by this section; and where there are more than one nominated in the same nomination paper, all their names will be posted; the rule, however, it will be noticed, speaks of the candidate in the singular only.

12. A person shall not be entitled to have his name inserted in any ballot paper as a candidate unless he has been nominated in manner provided by this Act (*a*), and every person whose nomination paper has been delivered to the returning officer during the time appointed for the election (*b*) shall be deemed to have been nominated in manner provided by this Act, unless objection be made to his nomination paper by the returning officer or some other person before the expiration of the time appointed for the election or within one hour afterwards (*c*).

13. The returning officer shall decide on the validity of every objection made to a nomination paper, and his decision, if disallowing the objection, shall be final; but if allowing the same, shall be subject to reversal on petition questioning the election or return (*d*).

The Poll.

14. The poll shall take place on such day as the returning officer may appoint, not being in the case of an election for a county or a district borough less than two nor more than six clear days, and not being in the case of an election for a borough other than a district borough more than three clear days after the day fixed for the election (*e*).

(*a*) See rules 5 and 6, *ante*, p. 41.

(*b*) See rule 4, *ante*, p. 41, as to the time appointed for the election.

(*c*) See also rule 6, *ante*, p. 41, as to objections.

(*d*) See 31 & 32 Vict. c. 125, as to election petitions.

(*e*) As regards the day for giving notice and the day for election, see rules 1 and 2, *ante*, pp. 39, 40, and the Table of Days, *post*, p. 93.

Note that in this rule the words are "not *more* than six clear days;" whilst in rule 2 the words are "not *less* than three clear days. Looking at the ambiguity of the former expression, it will be prudent to take the poll not later than on the sixth or third day, as the case may be, after the day of election.

The poll in a county "shall commence at eight o'clock

15. At every polling place the returning officer shall provide a sufficient number of polling stations for the accommodation of the electors entitled to vote at such polling place, and shall distribute the polling stations amongst those electors in such manner as he thinks most convenient, provided that in a district borough there shall be at least one polling station at each contributory place of such borough (*f*).

16. Each polling station shall be furnished with such number of compartments, in which the voters can mark their votes screened from observation, as the returning officer thinks necessary, so that at least one compartment be provided for every one hundred and fifty electors entitled to vote at such polling station.

17. A separate room or separate booth may contain a separate polling station, or several polling stations may be constructed in the same room or booth.

18. No person shall be admitted to vote at any polling station except the one allotted to him (*g*).

19. The returning officer shall give public notice of the situation of polling stations and the description of voters entitled to vote at each station, and of the mode in which electors are to vote.

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in the forenoon, and be kept open until five in the afternoon" (16 & 17 Vict. c. 15, s. 2). In boroughs the poll commences at eight o'clock, and closes at four o'clock (5 & 6 Will. 4, c. 36, s. 2).

(*f*) Under sect. 5, *ante*, p. 8, the county or borough is to be divided into "polling districts," and a "polling place" is to be assigned to each district of a county. A "polling station" is a room or booth having separate polling compartments. As to the definition of a polling place in a borough, see rule 57, *post*, p. 60.

(*g*) As to the allotment of polling stations, see rule 19, *infra*.

20. The returning officer shall provide each polling station with materials for voters to mark the ballot papers, with instruments for stamping thereon the official mark, and with copies of the register of voters, or such part thereof as contains the names of the voters allotted to vote at such station. He shall keep the official mark secret, and an interval of not less than seven years shall intervene between the use of the same official mark at elections for the same county or borough.

21. The returning officer shall appoint a presiding officer to preside at each station, and the officer so appointed shall keep order at his station, shall regulate the number of electors to be admitted at a time, and shall exclude all other persons except the clerks, the agents of the candidates, and the constables on duty.

22. Every ballot paper shall contain a list of the candidates described as in their respective nomination papers, and arranged alphabetically in the order of their surnames, and (if there are two or more candidates with the same surname) of their other names: it shall be in the form set forth in the second schedule to this Act or as near thereto as circumstances admit, and shall be capable of being folded up (*a*).

23. Every ballot box shall be so constructed that the ballot papers can be introduced therein, but cannot be withdrawn therefrom, without the box being unlocked. The presiding officer at any polling station, just before the commencement of the poll (*b*), shall show the ballot box empty to such persons, if any, as may be present in such station, so that they may see that it is empty, and shall then lock it up, and place his seal upon it in such man-

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(*a*) See the form of ballot paper, *post*, p. 70.

(*b*) See note to rule 14, *ante*, p. 44, as to commencement of poll.

ner as to prevent its being opened without breaking such seal, and shall place it in his view for the receipt of ballot papers, and keep it so locked and sealed.

24. Immediately before a ballot paper is delivered to an elector, it shall be marked on both sides with the official mark (*c*), either stamped or perforated, and the number, name, and description of the elector as stated in the copy of the register shall be called out, and the number of such elector shall be marked on the counterfoil, and a mark shall be placed in the register against the number of the elector, to denote that he has received a ballot paper, but without showing the particular ballot paper which he has received.

25. The elector, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station, and there mark his paper, and fold it up so as to conceal his vote, and shall then put his ballot paper, so folded up, into the ballot box; he shall vote without undue delay, and shall quit the polling station as soon as he has put his ballot paper into the ballot box (*d*).

26. The presiding officer, on the application of any voter who is incapacitated by blindness or other physical cause from voting in manner prescribed by this Act, or (if the poll be taken on Saturday) of any voter who declares that he is of the Jewish persuasion, and objects on religious grounds to vote in manner prescribed by this Act, or of any voter who makes such a declaration as hereinafter mentioned that he is unable to read (*e*), shall, in the presence of the agents of the candidates, cause the vote of such voter to be marked on a ballot paper in manner directed by such voter, and the ballot paper to

(*c*) See rule 20, *ante*, p. 46, as to the official mark.
(*d*) See the form of directions to the voter, *post*, p. 71.
(*e*) See the form of declaration, *post*, p. 72.

be placed in the ballot box, and the name and number on the register of voters of every voter whose vote is marked in pursuance of this rule, and the reason why it is so marked, shall be entered on a list, in this Act called "the list of votes marked by the presiding officer."

The said declaration, in this Act referred to as "the declaration of inability to read," shall be made by the voter at the time of polling, before the presiding officer, who shall attest it in the form hereinafter mentioned (*a*), and no fee, stamp, or other payment shall be charged in respect of such declaration, and the said declaration shall be given to the presiding officer at the time of voting.

27. If a person, representing himself to be a particular elector named on the register, applies for a ballot paper after another person has voted as such elector, the applicant shall, upon duly answering the questions and taking the oath permitted by law to be asked of and to be administered to voters at the time of polling (*b*), be

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(*a*) See the form of declaration and attestation, *post*, p. 72.

(*b*) By 6 Vict. c. 18, s. 81, in all elections whatever of a member or members to serve in parliament for any county, riding, parts or division of a county or for any city or borough in England or Wales, or the town of Berwick-upon-Tweed, no inquiry shall be permitted at the time of polling as to the right of any person to vote, except only as follows; (that is to say,) that the returning officer or his respective deputy shall, if required on behalf of any candidate, put to any voter at the time of his tendering his vote, and not afterwards, the following questions, or either of them:

1. Are you the same person whose name appears as *A. B.* on the register of voters now in force for the county of [*or* for the riding, parts, *or* division of the county of], *or* for the city [*or* borough] of [*as the case may be*]?
2. Have you already voted, either here or elsewhere, at this election for the county of [*or* for the riding, parts, *or* division of the county of], *or* for the city [*or* borough] of [*as the case may be*]?

And if any person shall wilfully make a false answer to either

entitled to mark a ballot paper in the same manner as any other voter (*c*), but the ballot paper (in this Act called a tendered ballot paper) shall be of a colour differing from the other ballot papers, and, instead of being put into the ballot box, shall be given to the presiding officer and endorsed by him with the name of the voter and his number in the register of voters, and set aside in a separate packet (*d*), and shall not be counted by the returning officer. And the name of the voter and his number on the register shall be entered on a list, in this Act called the tendered votes list.

28. A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper, may, on delivering to the presiding officer the ballot paper so inadvertently dealt with, and proving the fact of the inadvertence to the satisfaction of the presiding officer, obtain another ballot paper in the place of the ballot paper so delivered

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of the questions aforesaid he shall be deemed guilty of a misdemeanor, and shall and may be indicted and punished accordingly; and the returning officer or his deputy, or a commissioner or commissioners to be for that purpose by law appointed, shall, if required on behalf of any candidate at the time aforesaid, administer an oath to any voter in the following form:—

"YOU do swear [*or* affirm, *as the case may be*], that you are the same person whose name appears as *A. B.* on the register of voters now in force for the county of *or* for the riding, parts, *or* division of the county of *or* for the city *or* borough of [*as the case may be*], and that you have not before voted, either here or elsewhere, at the present election for the county of [*or* for the riding, parts, *or* division of the county of] *or* for the city *or* borough of [*as the case may be*]. So help you GOD."

(*c*) See the two preceding clauses as to the voter marking his ballot paper.

(*d*) See *infra*, clause 29 (3).

up (in this Act called a spoilt ballot paper), and the spoilt ballot paper shall be immediately cancelled (*a*).

29. The presiding officer of each station, as soon as practicable after the close of the poll, shall, in the presence of the agents of the candidates, make up into separate packets sealed with his own seal and the seals of such agents of the candidates as desire to affix their seals,—

(1.) Each ballot box in use at his station, unopened but with the key attached; and

(2.) The unused and spoilt ballot papers, placed together; and

(3.) The tendered ballot papers (*b*); and

(4.) The marked copies of the register of voters (*c*), and the counterfoils of the ballot papers (*d*); and

(5.) The tendered votes list (*e*), and the list of votes marked by the presiding officer, and a statement of the number of the voters whose votes are so marked by the presiding officer under the heads "physical incapacity," "Jews," and "unable to read," and the declarations of inability to read (*f*);

and shall deliver such packets to the returning officer (*g*).

30. The packets shall be accompanied by a statement made by such presiding officer, showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers in the ballot box, un-

(*a*) The presiding officer will cancel the spoilt ballot paper in any manner he may think fit, but he must not destroy it.

(*b*) See clause 27, *ante*, p. 48.

(*c*) See clause 24, *ante*, p. 47.

(*d*) See clause 24, *ante*, p. 47. As the unused ballot papers are to be made up into a separate packet with the spoilt ballot papers, they must be severed from the counterfoils to enable the presiding officer to comply with this requirement.

(*e*) See clause 27, *ante*, p. 48.

(*f*) See clause 26, *ante*, p. 47.

(*g*) See sect. 2 and note (*c*), *ante*, p. 5.

used, spoilt, and tendered ballot papers, which statement is in this Act referred to as the ballot paper account.

Counting Votes.

31. The candidates may respectively appoint agents to attend the counting of the votes (*h*).

32. The returning officer shall make arrangements for counting the votes in the presence of the agents of the candidates as soon as practicable after the close of the poll, and shall give to the agents of the candidates appointed to attend at the counting of the votes notice in writing of the time and place at which he will begin to count the same (*i*).

33. The returning officer, his assistants and clerks, and the agents of the candidates, and no other person, except with the sanction of the returning officer, may be present at the counting of the votes.

34. Before the returning officer proceeds to count the votes, he shall, in the presence of the agents of the candidates, open each ballot box, and, taking out the papers therein, shall count and record the number thereof, and then mix together the whole of the ballot papers contained in the ballot boxes (*k*). The returning officer, while counting and recording the number of ballot papers and counting the votes, shall keep the ballot

(*h*) See clause 51 as to the candidate undertaking the duties of an agent, and clauses 52, 53, and 54, *post*, p. 58. If the candidate should act as his own agent, or assist his agent, and be present at the polling place, it will not be necessary that he should make a statutory declaration of secrecy under clause 54, *post*. No limit is placed by the Act upon the number of agents that a candidate may appoint; but it is not to be expected that an unreasonable number will be appointed by any candidate.

(*i*) As to the place of election where the counting of the votes is to take place, see clause 1, *ante*, p. 39, and note thereon; see also clause 48, *post*, p. 57.

(*k*) Not those papers contained in one box only, but the ballot papers contained in the whole of the ballot boxes, are to be mixed together, and in the process of mixing, care must be taken not to show the numbers on the backs of the papers.

papers with their faces upwards, and take all proper precautions for preventing any person from seeing the numbers printed on the backs of such papers.

35. The returning officer shall, so far as practicable, proceed continuously with counting the votes, allowing only time for refreshment, and excluding (except so far as he and the agents otherwise agree) the hours between seven o'clock at night and nine o'clock on the succeeding morning. During the excluded time the returning officer shall place the ballot papers and other documents relating to the election under his own seal and the seals of such of the agents of the candidates as desire to affix their seals, and shall otherwise take proper precautions for the security of such papers and documents.

36. The returning officer shall endorse "rejected" on any ballot paper which he may reject as invalid, and shall add to the endorsement "rejection objected to," if an objection be in fact made by any agent to his decision. The returning officer shall report to the Clerk of the Crown in Chancery the number of ballot papers rejected and not counted by him under the several heads of—

1. Want of official mark (*a*);
2. Voting for more candidates than entitled to;
3. Writing or mark by which voter could be identified;
4. Unmarked or void for uncertainty;

and shall on request allow any agents of the candidates, before such report is sent, to copy it.

37. Upon the completion of the counting, the returning officer shall seal up in separate packets the counted and rejected ballot papers. He shall not open the sealed packet of tendered ballot papers (*b*) or marked copy of the register of voters and counterfoils (*c*), but shall proceed, in the presence of the agents of the candidates, to verify the ballot paper account given by each presiding officer

(*a*) See sect. 2, *ante*, p. 4. (*b*) See clause 27, *ante*, p. 48.
(*c*) See clause 24, *ante*, p. 47.

by comparing it with the number of ballot papers recorded by him as aforesaid, and the unused and spoilt ballot papers in his possession and the tendered votes list, and shall reseal each sealed packet after examination. The returning officer shall report to the Clerk of the Crown in Chancery the result of such verification, and shall, on request, allow any agents of the candidates, before such report is sent, to copy it (*d*).

38. Lastly, the returning officer shall forward to the Clerk of the Crown in Chancery (in manner in which the poll books are by any existing enactment required to be forwarded to such clerk, or as near thereto as circumstances admit) (*e*) all the packets of ballot papers in his possession, together with the said reports (*f*), the ballot paper accounts (*g*), tendered votes lists (*h*), lists of votes marked

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(*d*) In the case of municipal elections, no return is to be made to the Clerk of the Crown in Chancery; see sect. 20 (5), *ante*, p. 26.

(*e*) By 6 Vict. c. 18, s. 93, after the declaration of the numbers the returning officer is forthwith to enclose and seal up the poll books, and tender the same to each of the candidates to be sealed by them respectively. In case any candidate neglect or refuse to seal the same, the returning officer is to endorse such fact upon one of the poll books; and as soon as possible deliver the same to the Clerk of the Crown or to the postmaster of the place (who shall give him a receipt for them, stating therein the time of their delivery, and himself keeping a duplicate of such receipt) directed to the Clerk of the Crown; and they are to be transmitted accordingly. The returning officer is, by the same mail, to advise the Clerk of the Crown of the transmission of the poll books and to give him the number and description thereof. The Clerk of the Crown, on the receipt of the poll book, is to give a receipt stating the day and hour of delivery; and then to register such receipt in his office, endorsing the day and hour of delivery on such poll books. A wilful omission of duty in these respects entails a penalty of 100*l*.

(*f*) See clauses 36 and 37 for the reports here referred to.

(*g*) See clause 36, *ante*, p. 52.

(*h*) See clause 27, *ante*, p. 48.

by the presiding officer (*a*), statements relating thereto, declarations of inability to read (*a*), and packets of counterfoils (*b*), and marked copies of registers (*c*), sent by each presiding officer, endorsing on each packet a description of its contents and the date of the election to which they relate, and the name of the county or borough for which such election was held; and the term poll book in any such enactment (*d*) shall be construed to include any document forwarded in pursuance of this rule.

39. The Clerk of the Crown shall retain for a year all documents relating to an election forwarded to him in pursuance of this Act by a returning officer, and then, unless otherwise directed by an order of the House of Commons, or of one of Her Majesty's superior courts, shall cause them to be destroyed.

40. No person shall be allowed to inspect any rejected ballot papers in the custody of the Clerk of the Crown in Chancery, except under the order of the House of Commons or under the order of one of Her Majesty's superior courts, to be granted by such court on being satisfied by evidence on oath that the inspection or production of such ballot papers is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of a petition questioning an election or return; and any such order for the inspection or production of ballot papers may be made subject to such conditions as to persons, time, place, and mode of inspection or production as the House or court making the same may think expedient, and shall be obeyed by the Clerk of the Crown in Chancery. Any power given to a court by

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(*a*) See clause 26, *ante*, p. 47.
(*b*) See clause 29, *ante*, p. 50.
(*c*) See clause 24, *ante*, p. 47.
(*d*) Enactment referred to in the beginning of the clause.

this rule may be exercised by any judge of such court at chambers.

41. No person shall, except by order of the House of Commons or any tribunal having cognizance of petitions complaining of undue returns or undue elections, open the sealed packet of counterfoils (*e*) after the same has been once sealed up, or be allowed to inspect any counted ballot papers in the custody of the Clerk of the Crown in Chancery; such order may be made subject to such conditions as to persons, time, place, and mode of opening or inspection as the House or tribunal making the order may think expedient; provided that on making and carrying into effect any such order, care shall be taken that the mode in which any particular elector has voted shall not be discovered until he has been proved to have voted, and his vote has been declared by a competent court to be invalid.

42. All documents forwarded by a returning officer in pursuance of this Act to the Clerk of the Crown in Chancery, other than ballot papers and counterfoils, shall be open to public inspection at such time and under such regulations as may be prescribed by the Clerk of the Crown in Chancery, with the consent of the Speaker of the House of Commons, and the Clerk of the Crown shall supply copies of or extracts from the said documents to any person demanding the same, on payment of such fees and subject to such regulations as may be sanctioned by the Treasury.

43. Where an order is made for the production by the Clerk of the Crown in Chancery of any document in his possession relating to any specified election, the production by such clerk or his agent of the document

(*e*) See clause 29 (4), *ante*, p. 50.

ordered, in such manner as may be directed by such order, or by a rule of the court having power to make such order, shall be conclusive evidence that such document relates to the specified election; and any endorsement appearing on any packet of ballot papers produced by such Clerk of the Crown or his agent shall be evidence of such papers being what they are stated to be by the endorsement. The production from proper custody of a ballot paper purporting to have been used at any election, and of a counterfoil marked with the same printed number and having a number marked thereon in writing, shall be *primâ facie* evidence that the person who voted by such ballot paper was the person who at the time of such election had affixed to his name in the register of voters at such election the same number as the number written on such counterfoil.

General Provisions.

44. The return of a member or members elected to serve in parliament for any county or borough shall be made by a certificate of the names of such member or members under the hand of the returning officer endorsed on the writ of election for such county or borough (*a*), and such certificate shall have effect and be dealt with in like manner as the return under the existing law, and the returning officer may, if he think fit, deliver the writ with such certificate endorsed to the postmaster of the principal post office of the place of election, or his deputy, and in that case he shall take a receipt from the postmaster or his deputy for the same; and such postmaster or his deputy shall then forward the same by the first post, free of charge, under cover,

(*a*) See the form of writ of election and of the certificate to be endorsed thereon, *post*, p. 66.

to the Clerk of the Crown, with the words "Election Writ and Return" endorsed thereon.

45. The returning officer shall, as soon as possible, give public notice of the names of the candidates elected, and, in the case of a contested election, of the total number of votes given for each candidate, whether elected or not.

46. Where the returning officer is required or authorised by this Act to give any public notice, he shall carry such requirement into effect by advertisements, placards, handbills, or such other means as he thinks best calculated to afford information to the electors.

47. The returning officer may, if he think fit, preside at any polling station, and the provisions of this Act relating to a presiding officer shall apply to such returning officer with the necessary modifications as to things to be done by the returning officer to the presiding officer, or the presiding officer to the returning officer (*b*).

48. In the case of a contested election for any county or borough, the returning officer may, in addition to any clerks, appoint competent persons to assist him in counting the votes (*c*).

49. No person shall be appointed by a returning officer for the purposes of an election who has been employed by any other person in or about the election.

50. The presiding officer may do, by the clerks appointed to assist him, any act which he is required or authorised to do by this Act at a polling station except

(*b*) See clauses 21, 23, *ante*, p. 46, and clause 29, *ante*, p. 50.
(*c*) See clause 32, *ante*, p. 51.

ordering the arrest, exclusion, or ejection from the polling station of any person (*a*).

51. A candidate may himself undertake the duties which any agent of his if appointed might have undertaken, or may assist his agent in the performance of such duties, and may be present at any place at which his agent may, in pursuance of this Act, attend (*b*).

52. The name and address of every agent of a candidate appointed to attend the counting of the votes shall be transmitted to the returning officer one clear day at the least before the opening of the poll; and the returning officer may refuse to admit to the place where the votes are counted, any agent whose name and address has not been so transmitted, notwithstanding that his appointment may be otherwise valid, and any notice required to be given to an agent by the returning officer may be delivered at or sent by post to such address (*b*).

53. If any person appointed an agent by a candidate for the purposes of attending at the polling station or at the counting of the votes dies, or becomes incapable of acting during the time of the election, the candidate may appoint another agent in his place, and shall forthwith give to the returning officer notice in writing of the name and address of the agent so appointed.

54. Every returning officer, and every officer, clerk, or agent authorised to attend at a polling station, or at the counting of the votes, shall, before the opening of the poll, make a statutory declaration of

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(*a*) See sect. 9, *ante*, p. 13.
(*b*) See clause 31, *ante*, p. 51, and note thereon.

secrecy (*c*), in the presence, if he is the returning officer, of a justice of the peace, and if he is any other officer or an agent, of a justice of the peace or of the returning officer; but no such returning officer, officer, clerk, or agent as aforesaid shall, save as aforesaid, be required, as such, to make any declaration or take any oath on the occasion of any election.

55. Where in this Act any expressions are used requiring or authorising or inferring that any act or thing is to be done in the presence of the agents of the candidates, such expressions shall be deemed to refer to the presence of such agents of the candidates as may be authorised to attend, and as have in fact attended, at the time and place where such act or thing is being done, and the non-attendance of any agents or agent at such time and place shall not, if such act or thing be otherwise duly done, in anywise invalidate the act or thing done.

56. In reckoning time for the purposes of this Act, Sunday, Christmas Day, Good Friday, and any day set apart for a public fast or public thanksgiving, shall be excluded; and where anything is required by this Act to be done on any day which falls on the above-mentioned days such thing may be done on the next day, unless it is one of the days excluded as above mentioned (*d*).

57. In this Act—

The expression "district borough" means the borough of Monmouth and any of the boroughs specified in Schedule E. to the Act of the session of the second and third years of the reign of King William the Fourth, chapter forty-five,

(*c*) For the statutory declaration of secrecy, see *post*, p. 72. See also sect. 4, *ante*, p. 7.

(*d*) See clauses 1, 2, and 14, *ante*, pp. 39, 40, and 44; and also the Table of Days, *post*, p. 93.

intituled "An Act to amend the Representation of the People in England and Wales" (*a*); and

The expression "polling place" means, in the case of a borough, such borough or any part thereof in which a separate booth is required or authorised by law to be provided; and (*b*)

The expression "agents of candidates," used in relation to a polling station, means agents appointed in pursuance of section eighty-five of the Act of the session of the sixth and seventh years of the reign of Her present Majesty, chapter eighteen (*c*).

(*a*) The following are the boroughs specified in Schedule E. of the 2 & 3 Will. 4, c. 45 :—

Places sharing in Election of Members.	Principal Boroughs.	Places sharing in Election of Members.	Principal Boroughs.
Amlwch	Beaumaris.	Holywell	Flint—*contd.*
Holyhead	,,	Mold	,,
Llangefni	,,	Cowbridge	Cardiff.
Aberystwith	Cardigan.	Llantrissent	,,
Lampeter	,,	Llanidloes	Montgomery.
Adpar	,,	Welsh Pool	,,
Llanelly	Caermarthen.	Machynlleth	,,
Pwllheli	Caernarvon.	Llanfyllin	,,
Nevin	,,	Newtown	,,
Conway	,,	Narberth	Haverfordwest
Bangor	,,	Fishguard	,,
Criccieth	,,	Tenby	Pembroke.
Ruthin	Denbigh.	Wiston	,,
Holt	,,	Milford (Town)	,,
Wrexham (Town)	,,	Knighton	Radnor.
Rhyddlan	Flint.	Rhayder	,,
Overton	,,	Kevinleece	,,
Caerwis	,,	Knucklas	,,
Caergwiley	,,	Presteigne (Town)	,,
St. Asaph	,,		

(*b*) See sect. 15, *ante*, p. 16, as to the term polling booth, and clause 15, *ante*, p. 45, as to polling stations.

(*c*) By 6 & 7 Vict. c. 18, s. 85, for the more effectual detection of the personation of voters at elections, it is enacted, that it shall be lawful for any candidate, at any election of

Modification in Application of Part One of Schedule to Scotland.

58. In Scotland, the place of election shall be a convenient room situate in the town in which the writ for the election would, if this Act had not passed, have been proclaimed.

59. In Scotland, the candidates may respectively appoint agents to attend at the polling stations. The ballot papers and other documents other than the return required to be sent to and kept by the Clerk of the Crown in Chancery, shall, in Scotland, be kept by the sheriff clerks of the respective counties in which the returns (including those for burghs) are made, and the provisions of this schedule relating thereto shall be construed as if the sheriff clerk were substituted for Clerk of the Crown in Chancery.

60. In Scotland, the term "district borough" shall mean the combined burghs and towns specified in Schedule E. of the Act of the session of the second and third years of the reign of King William the Fourth, chapter sixty-five, intituled "An Act to amend the Representation of the People in Scotland;" and in Schedule A. of the Representation of the People (Scotland) Act, 1868. 31 & 32 Vict. c. 48.

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a member or members to serve in parliament for any county, city, or borough, previous to the time fixed for taking the poll at such election, to nominate and appoint an agent or agents on his behalf to attend at each or any of the booths appointed for taking the poll at such election, for the purpose of detecting personation; and such candidate shall give notice in writing to the returning officer, or his respective deputy, of the name and address of the person or persons so appointed by him to act as agents for such purpose; and thereupon it shall be lawful for every such agent to attend during the time of polling at the booth or booths for which he shall have been so appointed.

61. The provisions of the Act of the session of the second and third years of the reign of King William the Fourth, chapter sixty-five, intituled "An Act to amend the Representation of the People in Scotland," in so far as they relate to the fixing and announcement of the day of election, the interval to elapse between the receipt of the writ and the day of election, the period of adjournment for taking the poll in the case of Orkney and Shetland, and of the district of burghs comprising Kirkwall, Wick, Dornoch, Dingwall, Tain, and Cromarty, and to the keeping open of the poll for two consecutive days in the case of Orkney and Shetland, shall remain in full force and effect, anything in this Act or any other Act of parliament now in force notwithstanding; but nothing herein contained shall be construed to exclude Orkney and Shetland or Orkney or Shetland, or the said district of burghs, or any of the burghs in the said district, from any of the benefits and obligations of the other portions of this Act.

Modifications in Application of Part One of Schedule to Ireland.

62. The expression "Clerk of the Crown in Chancery" in this schedule shall mean, as regards Ireland, "the Clerk of the Crown and Hanaper in Ireland."

63. A presiding officer at a polling station in a county in Ireland need not be a freeholder of the county.

PART II.

Rules for Municipal Elections.

64. In the application of the provisions of this schedule to municipal elections the following modifications shall be made:

(*a.*) The expression "register of voters" means the burgess roll of the burgesses of the borough, or, in the case of an election for the ward of a borough, the ward list (*a*); and the mayor shall provide true copies of such register for each polling station:

(*b.*) All ballot papers and other documents which, in the case of a parliamentary election, are forwarded to the Clerk of the Crown in Chancery shall be delivered to the town clerk of the municipal borough in which the election is held, and shall be kept by him among the records of the borough; and the provisions of part one of this schedule with respect to the inspection, production and destruction of such ballot papers and documents, and to the copies of such documents, shall apply respectively to the ballot papers and documents so in the custody of the town clerk, with these modifications (*b*); namely,

(*a.*) An order of the county court having jurisdiction in the borough, or any part thereof, or of any tribunal in which a municipal election is questioned (*c*), shall be substituted for an order of the House of Commons, or of one of Her

(*a*) As to the burgess roll, see 5 & 6 Will. 4, c. 76, s. 22, and as to ward lists, see *ibid.*, sect. 45.

(*b*) See clauses 36—43, *ante*, pp. 52—55.

(*c*) See the Corrupt Practices (Municipal Elections) Act, 1872.

Majesty's superior courts; but an appeal from such county court may be had in like manner as in other cases in such county court;

(*b.*) The regulations for the inspection of documents and the fees for the supply of copies of documents of which copies are directed to be supplied, shall be prescribed by the council of the borough with the consent of one of Her Majesty's prinicipal Secretaries of State; and, subject as aforesaid, the town clerk, in respect of the custody and destruction of the ballot papers and other documents coming into his possession in pursuance of this Act, shall be subject to the directions of the council of the borough:

(*c.*) Nothing in this schedule with respect to the day of the poll shall apply to a municipal election (*a*).

Modifications in Application of Part II. of Schedule to Scotland.

65. In part two of this schedule as applying to Scotland—

The expression "register of voters" means the register, list, or roll of persons entitled to vote in a municipal election made up according to the law for the time being in force.

The expression "county court" means the sheriff court.

The expression "town clerk" includes the clerk appointed by the commissioners of police under the Act of the session of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter thirty-three, intituled "An Act to make more effectual provision for regulating the police of towns and populous places in Scotland, and for paving, draining, cleansing, lighting, and improving the same," and of the General Police and Improvement (Scotland) Act, 1862.

(*a*) See clause 14, *ante*, p. 44,

Modifications in Application of Part II. of Schedule to Ireland.

66. In part two of this schedule as applying to Ireland—

The expression "register of voters," in addition to the meaning specified in such part, means, in relation to any municipal borough subject to the provisions of a local Act requiring an annual revision of the lists of voters at municipal elections, the register of voters made in comformity with the said provisions of such local Act, and in relation to municipal boroughs to which Part II. of the Local Government (Ireland) Act, 1871, applies, the list to be made under the provisions of section twenty-seven of the said Act, and in relation to other municipal boroughs a list which the town clerk of every municipal borough is hereby authorised and directed to make, in like manner in every respect as if the provisions of the said section were applicable to and in force within such municipal borough.

The expression "county court" means the Civil Bill Court.

The expression "town clerk" includes clerk to the commissioners, municipal commissioners, town commissioners, or township commissioners of any municipal borough, and any person executing the duties of such town clerk.

The expression "council of the borough" includes commissioners, municipal commissioners and town commissioners of the town, and township commissioners of the township.

The expression "one of Her majesty's principal Secretaries of State" means the Chief Secretary of the Lord Lieutenant of Ireland.

SECOND SCHEDULE.

Note.—The forms contained in this schedule, or forms as nearly resembling the same as circumstances will admit, shall be used in all cases to which they refer and are applicable, and when so used shall be sufficient in law.

Writ for a County or Borough at a Parliamentary Election.

* Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to the † of the county [*or* borough] of , greeting:

‡ Whereas by the advice of our Council we have ordered a parliament to be holden at Westminster on the day of next. We command you that, notice of the time and place of election being first duly given, you do cause election to be made according to law of members [*or* a member] to serve in parliament for the said county [*or* the division of the said county, *or* the borough, *or as the case may be*] of § and that you do cause the names of such members [*or* member] when so elected, whether they [*or* he] be present or absent, to be certified to us, in our Chancery, without delay.

Witness ourself at Westminster, the day of in the year of our reign, and in the year of our Lord 18 .

* *The name of the Sovereign may be altered when necessary.*

† *Insert "sheriff" or other returning officer.*

‡ *This preamble to be omitted except in case of a general election.*

§ *Except in a general election, insert here* in the place of A.B., deceased, *or otherwise, stating the cause of vacancy.*

Label or direction of Writ.

To the † of .

A writ of a new election of members [*or* member] for the said county [*or* division of a county *or* borough, *or as the case may be*].

Endorsement.

Received the within writ on the day of 18 .

(Signed) *A.B.*,

High Sheriff, [*or* Sheriff, *or* Mayor, *or as the case may be*].

Certificate endorsed on the Writ.

I hereby certify, that the members [*or* member] elected for in pursuance of the within-written writ, are [*or* is] *A.B.* of (*a*) in the county of and *C.D.* of in the county of .

(Signed) *A.B.*,

High Sheriff [*or* Sheriff, *or* Mayor, *or as the case may be*].

Note.—A separate writ will be issued for each county as defined for the purposes of a parliamentary election.

Form of Notice of Parliamentary Electon (*b*).

The returning officer of the of will, on the day now next ensuing, between the hours of and , proceed to the nomination, and, if there is no opposition, to the election, of a member [*or* members] for the said county [*or* division of a county *or* borough] at the*

Forms of nomination paper may be obtained at *, between the hours of and on .

Every nomination paper must be signed by two registered electors as proposer and seconder, and by eight other registered electors as assenting to the nomination.

* *Note.*—Insert description of place and room.

(*a*) As to the writ of election and endorsement, see clause 44, *ante*, p. 56.

(*b*) See clause 1, *ante*, p. 39.

Every nomination paper must be delivered to the returning officer by the candidate proposed, or by his proposer and seconder, between the said hours of and on the said day of at the said *.

* *Note.*—Insert description of place and room.

Each candidate nominated, and his proposer and seconder, and one other person selected by the candidate, and no other persons, are entitled to be admitted to the room.

In the event of the election being contested, the poll will take place on the day of .

(Signed) *A.B.*,

Sheriff [*or* Mayor, *or as the case may be*].

day of 18 .

Take notice, that all persons who are guilty of bribery, treating, undue influence, personation, or other corrupt practices at the said election will, on conviction of such offence, be liable to the penalties mentioned in that behalf in "The Corrupt Practices Prevention Act 1854," and the Ballot Act, 1872, and the Acts amending the said Acts.

Form of Nomination Paper in Parliamentary Election (*a*).

We, the undersigned *A.B.* of in the of and *C.D.* of in the of , being electors for the of , do hereby

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(*a*) See sect. 1, *ante*, p. 1.

nominate the following person as a proper person to serve as member for the said in Parliament:

Surname.	Other Names.	Abode.	Rank, Profession, or Occupation.
BROWN	John - -	52, George Street, Bristol	Merchant.
JONES	*or* William David -	High Elms, Wilts	Esquire.
MERTON	*or* Hon. George Travis, commonly called Viscount.	Swanworth, Berks	Viscount.
SMITH	*or* Henry Sydney -	72, High St., Bath	Attorney.

(Signed) *A.B.*
C.D.

We, the undersigned, being registered electors of the , do hereby assent to the nomination of the above-mentioned *John Brown* as a proper person to serve as member for the said in Parliament.

(Signed) *E.F.* of *M.N.* of
G.H. of *O.P.* of
I.J. of *Q.R.* of
K.L. of *S.T.* of

Note.—Where a candidate is an Irish peer, or is commonly known by some title, he may be described by his title as if it were his surname.

Form of Nomination Paper in Municipal Election.

Note.—The form of nomination paper in a municipal election shall as nearly as circumstances admit be the same as in the case of a parliamentary election (*b*).

(*b*) See note to sect. 20, *ante*, p. 27, as to the signature of a municipal nomination paper.

Form of Ballot Paper (*a*).

Form of Front of Ballot Paper.

Counterfoil No.			
	1	BROWN (John Brown, of 52, George St., Bristol, merchant.)	
	2	JONES (William David Jones, of High Elms, Wilts, Esq.)	
	3	MERTON (Hon. George Travis, commonly called Viscount Merton, of Swanworth, Berks.)	
	4	SMITH (Henry Sydney Smith, of 72, High St., Bath, attorney.)	

NOTE: *The counterfoil is to have a number to correspond with that on the back of the Ballot Paper.*

Form of Back of Ballot Paper.

No.

Election for county [*or* borough, *or* ward].

18 .

Note.—The number on the ballot paper is to correspond with that in the counterfoil.

(*a*) See clause 22, *ante*, p. 46.

Directions as to printing Ballot Paper.

Nothing is to be printed on the ballot paper except in accordance with this schedule.

The surname of each candidate, and if there are two or more candidates of the same surname, also the other names of such candidates, shall be printed in large characters, as shown in the form, and the names, addresses, and descriptions, and the number on the back of the paper, shall be printed in small characters.

Form of Directions for the Guidance of the Voter in voting, which shall be printed in conspicuous Characters, and placarded outside every Polling Station and in every Compartment of every Polling Station.

The voter may vote for candidate .

The voter will go into one of the compartments, and, with the pencil provided in the compartment, place a cross on the right-hand side, opposite the name of each candidate for whom he votes, thus X (*b*).

The voter will then fold up the ballot paper so as to show the official mark on the back, and leaving the compartment, will, without showing the front of the paper to any person, show the official mark on the back to the presiding officer, and then, in the presence of the presiding officer, put the paper into the ballot box, and forthwith quit the polling station.

If the voter inadvertently spoils a ballot paper, he can return it to the officer, who will, if satisfied of such inadvertence, give him another paper (*c*).

If the voter votes for more than candidate , or places any mark on the paper by which he may be afterwards identified, his ballot paper will be void, and will not be counted.

(*b*) This direction must be implicitly followed, for if the name of the candidate be written and the X omitted, the vote will be lost.

(*c*) See clause 28, *ante*, p. 49.

If the voter takes a ballot paper out of the polling station, or deposits in the ballot box any other paper than the one given him by the officer, he will be guilty of a misdemeanor, and be subject to imprisonment for any term not exceeding six months, with or without hard labour.

Note. — These directions shall be illustrated by examples of the ballot paper.

Form of Statutory Declaration of Secrecy (a).

I solemnly promise and declare, That I will not at this election for do anything forbidden by section four of The Ballot Act, 1872, which has been read to me.

Note.—The section must be read to the declarant by the person taking the declaration.

Form of Declaration of inability to read.

I, *A.B.*, of , being numbered on the register of voters for the county [*or* borough] of , do hereby declare that I am unable to read.

A.B., his mark.

day of .

I, the undersigned, being the presiding officer for the polling station for the county [*or* borough] of , do hereby certify, that the above declaration, having been first read to the above-named *A.B.*, was signed by him in my presence with his mark.

Signed, *C.D.*,

Presiding officer for polling station for the county [*or* borough] of .

day of .

(*a*) See sect. 4, *ante*, p. 7, and clause 54, *ante*, p. 58.

THIRD SCHEDULE.

Provisions of Registration Acts referred to in Part III. of the foregoing Act.

Session and Chapter.	Title.	Part applied.
	As to England.	
6 & 7 Vict. c. 18	An Act to amend the law for the registration of persons entitled to vote, and to define certain rights of voting, and to regulate certain proceedings in the elections of members to serve in Parliament for England and Wales.	Sections eighty-five to eighty-nine, both inclusive (*b*).
	As to Ireland.	
13 & 14 Vict. c. 69	An Act to amend the laws which regulate the qualification and registration of parliamentary voters in Ireland, and to alter the law for rating immediate lessors of premises to the poor rate in certain boroughs.	Sections ninety-two to ninety-six, both inclusive.

(*b*) See clause 57, *ante*, p. 60, and sect. 24, *ante*, p. 30.

FOURTH SCHEDULE.

Acts relating to England.

NOTE.—This schedule, so far as respects Acts prior to the tenth year of the reign of George the Third, refers to the edition prepared under the direction of the Lord Chancellor, intituled "The Statutes, Revised Edition."

A description or citation of a portion of an Act is inclusive of the words, section, or other part first or last mentioned, or otherwise referred to as forming the beginning or as forming the end of the portion comprised in the description or citation.

Portions of Acts which have already been specifically repealed, are in some instances included in the repeal in this schedule, in order to preclude henceforth the necessity of looking back to previous Acts.

Session and Chapter.	Title or abbreviated Title.	Extent of Repeal.
7 Hen. 4 - -	Statute of the seventh year.	Chapter fifteen (*a*).
8 Hen. 6 - -	Statutes of the eighth year of K. Henry VI.	Chapter seven, from "and such as have "the greatest number" to "shall lose their "wages" and from "and "that in every writ "that shall hereafter go "forth" to the end of the chapter.

(*a*) See sect. 32, *ante*, p. 38.

Session and Chapter.	Title or abbreviated Title.	Extent of Repeal.
23 Hen. 6 - -	Here begin the statutes made at Westminster in the twenty-third year.	Chapter fourteen.
7 & 8 Will. 3, c. 25.	An Act for the further regulating elections of members to serve in Parliament, and for the preventing irregular proceedings of sheriffs and other officers in the electing and returning such members.	Section three and four, and section five down to "writing the same."
(*b*) 10 Will. 3, c. 7	An Act for preventing irregular proceedings of sheriffs and other officers in making the returns of members chosen to serve in Parliament.	So much as is unrepealed.
2 Geo. 2, c. 24 -	An Act for the more effectual preventing bribery and corruption in the elections of members to serve in Parliament.	Sections three and nine.
18 Geo. 2, c. 18 -	An Act to explain and amend the laws touching the elections of knights of the shire to serve in Parliament for that part of Great Britain called England.	Section five, from "or "shall vote more than "once," to the end of that section, and sections nine to sixteen.

(*b*) 10 & 11 W. 3, in running headings in ordinary editions.

Session and Chapter.	Title or abbreviated Title.	Extent of Repeal.
19 Geo. 2, c. 28 -	An Act for the better regulating of elections of members to serve in Parliament for such cities and towns in that part of Great Britain called England as are counties of themselves.	Section four, from "or "shall vote more than "once," to end of that section, and sections six to twelve.
3 Geo. 3, c. 15 -	An Act to prevent occasional freemen from voting at elections of members to serve in Parliament for cities and boroughs.	Section seven.
11 Geo. 3, c. 55 -	*An Act the title of which begins with the words* "An Act to "incapacitate," *and ends with the words* "New Shoreham, in "the county of Sus-"sex."	The whole Act.
21 Geo. 3, c. 54 -	An Act for the better regulating elections of citizens to serve in Parliament for the city of Coventry.	Sections seven to nine and fourteen.
22 Geo. 3, c. 31	An Act for the preventing of bribery and corruption in the election of members to serve in Parliament for the borough of Cricklade in the county of Wilts.	The whole Act.
25 Geo. 3, c. 84	*An Act the title of which begins with the words* "An Act to limit the "duration," *and ends with the words* "to "serve in Parliament."	The whole Act, except section one down to "make a return of "such person or per-"sons," and section three in so far as that part of a section and section relate to the universities.

Session and Chapter.	Title or abbreviated Title.	Extent of Repeal.
33 Geo. 3, c. 64 -	*An Act the title of which begins with the words* "An Act to explain "and amend an Act," *and ends with the words* "time and "place of election."	The whole Act, except so far as it relates to the universities.
34 Geo. 3, c. 73	An Act for directing the appointment of Commisioners to administer certain oaths and declarations required by law to be taken and made by persons offering to vote at the election of members to serve in Parliament.	The whole Act.
42 Geo. 3, c. 62 -	An Act for extending the provisions of an Act made in the thirty-fourth year of the reign of His present Majesty, intituled "An Act for "directing the appoint-"ment of Commis-"sioners to administer "certain oaths and de-"clarations required "by law to be taken "and made by persons "offering to vote at "the election of mem-"bers to serve in Par-"liament," to all oaths now required by law to be taken by voters at elections for members to serve in Parliament.	The whole Act.

Session and Chapter.	Title or abbreviated Title.	Extent of Repeal.
43 Geo. 3, c. 74 -	An Act for further regulating the administration of the oath or affirmation required to be taken by electors of members to serve in Parliament, by an Act passed in the second year of King George the Second, intituled "An Act for the more "effectual preventing "bribery and corrup- "tion in the election of "members to serve in "Parliament."	The whole Act.
44 Geo. 3, c. 60 -	An Act for the preventing of bribery and corruption in the election of members to serve in Parliament for the borough of Aylesbury in the county of Buckingham.	The whole Act.
11 Geo. 4 & 1 Will. 4, c. 74.	An Act to prevent bribery and corruption in the election of burgesses to serve in Parliament for the borough of East Retford.	The whole Act.
2 & 3 Will. 4, c. 45	An Act to amend the representation of the people in England and Wales.	Sections fifty-eight to sixty; sections sixty-two, sixty-three, sixty-five, sixty-seven; part of section sixty-eight, namely, from "shall "if required thereby" down to "poll at each "compartment, and," and from "and in "case the booths shall

Session and Chapter.	Title or abbreviated Title.	Extent of Repeal.
2 & 3 Will. 4, c. 45 —*continued.*		"be situated in dif- "ferent places" to "lawfully closed;" and section sixty-nine; and section seventy-one from "and that all "deputies" to "candi- "dates at such elec- "tion," and from "provided also, that "the sheriff" to the end of the section; and sections seventy-two, seventy-three, and seventy-four.
2 & 3 Will. 4, c. 64	An Act to settle and describe the divisions of counties and the limits of cities and boroughs in England and Wales, in so far as respects the election of members to serve in Parliament.	Sections twenty-nine to thirty-three, and so much of section thirty-four as relates to taking the poll.
5 & 6 Will. 4, c. 36	An Act to limit the time of taking the poll in boroughs at contested elections of members to serve in Parliament to one day.	The whole Act, except section two, down to "in the forenoon," and from "and the polling" to "in the afternoon;" and sections seven to nine.
5 & 6 Will. 4, c. 76	An Act to provide for the regulation of municipal corporations in England and Wales.	The words "openly as- "semble and" in section thirty; section thirty-two from "by "delivering" to the "mayor and assessors" to the end of that section, and so much of the rest of that section as relates to assessors; section thirty-three

Session and Chapter.	Title or abbreviated Title.	Extent of Repeal.
5 & 6 Will. 4, c. 76 —*continued.*		from "and shall be so "divided" to "poll at "each compartment, "and," and from "and "in case the booths" to "at each place;" the words "Are you the "person whose name "is signed as A.B.to "the voting paper now "delivered in by you," in section thirty-four, and section thirty-five from "and the mayor "shall cause the voting "papers" to end of that section, and so much of the rest of that section as relates to assessors; and so much of sections forty-three, forty-four, and forty-six as relates to assessors.
6 & 7 Will. 4, c. 102.	An Act for rendering more easy the taking the poll at county elections.	The whole Act.
6 & 7 Vict. c. 18 -	An Act to amend the law for the registration of persons entitled to vote and to define certain rights of voting, and to regulate certain proceedings in the election of members to serve in Parliament for England and Wales.	Section seventy-nine from "Provided always, that "it shall not be lawful" to end of that section; section eighty; so much of section eighty-one as relates to a commissioner or commissioners; sections eighty-three, eighty-four, and ninety-one, sections ninety-four to ninety-six, and sections ninety-eight and ninety-nine.

Session and Chapter.	Title or abbreviated Title.	Extent of Repeal.
16 & 17 Vict. c. 15	An Act to limit the time of taking the poll in counties at contested elections for knights of the shire to serve in Parliament in England and Wales to one day.	The whole Act, except section two, down to "in the afternoon of "such day," and section three.
16 & 17 Vict. c. 68	An Act to limit the time for proceeding to election in counties and boroughs in England and Wales, and for polling at elections for the Universities of Oxford and Cambridge, and for other purposes.	Sections two, three, seven, and eight.
17 & 18 Vict. c. 102.	"The Corrupt Practices "Prevention Act, "1854."	Section eleven and Schedule B.
22 Vict. c. 35	"The Municipal Corpo- "ration Act, 1859."	So much of section seven as relates to the form of nomination paper, and so much of section eight as relates to assessors.
25 & 26 Vict. c. 95	An Act to amend the law relating to polling places in the boroughs of New Shoreham, Cricklade, Aylesbury, and East Retford.	The whole Act.
30 & 31 Vict c. 102	"The Representation of "the People Act, "1867."	Section thirty-five; section thirty-seven from "where in any place" to end of that section; section thirty-nine.

Session and Chapter.	Title or abbreviated Title.	Extent of Repeal.
31 & 32 Vict. c. 58	"The Parliamentary "Electors Registration "Act, 1868."	Sections four to sixteen, twenty-four, twenty-six, thirty-four, and thirty-six.
31 & 32 Vict. c. 125.	"The Parliamentary "Elections Act, 1868."	Section forty, from "pro- "vided always," to the end of that section.

FIFTH SCHEDULE.

Acts relating to Scotland.

A description or citation of a portion of an Act is inclusive of the words, section, or other part first or last mentioned, or otherwise referred to as forming the beginning or as forming the end of the portion comprised in the description or citation.

Session and Chapter.	Title of Act.	Extent of Repeal.
2 & 3 Will. 4, c. 65	An Act to amend the representation of the people in Scotland.	Sections twenty-four and twenty-five; section twenty-six; section twenty-seven from the words "and each sub- "stitute so superin- "tending" to the end of that section; section twenty-eight from the words "and shall within "three days" to the end of that section; section twenty-nine the words "the market "cross or some other "convenient and open "place in or imme- "diately adjoining," and from the words "and if no more than "one candidate" to the end of that section; section thirty the words "the market cross or "some other convenient "and open place in or "immediately adjoin- "ing," and from the

Session and Chapter	Title of Act.	Extent of Repeal.
2 & 3 Will. 4, c. 65 —*continued.*		words "and if no more "candidates" down to the words "Saturdays "and Sundays," and from the words "and "the sheriff who pro- "claimed the writ" to the end of that section; sections thirty-two, thirty-three, and thirty-nine; sections forty-three, forty-seven, and forty-eight.
3 & 4 Will. 4, c. 76	An Act to alter and amend the laws for the election of the magistrates and councils of the royal burghs in Scotland.	Section eight so far as it provides that the election shall be by "open" poll, and from the words "and each poll "clerk shall enter" to the end of that section; section ten, so far it relates to poll-books; section eleven, so far as it relates to voting by lists; and the words "assemble in the town "hall or other public "room of such burgh "and," and from the words "and the pro- "vost" to the end of that section; section fifteen, so far as inconsistent with this Act; section eighteen; section thirty-six from the commencement to "provided always, "that;" and section thirty-eight.

Session and Chapter.	Title of Act.	Extent of Repeal.
3 & 4 Will. 4, c. 77	An Act to provide for the appointment and election of magistrates and councillors for the several burghs and towns of Scotland which now return or contribute to return members to Parliament and are not royal burghs.	Section four so far as it provides that the election shall be by open poll; and from the words "and each poll "clerk shall enter" to the end of that section; section eight and section nine from the words "assemble in "the town hall" to the words "in each such "burgh or town;" so much of the section as relates to voting by lists, and from the words "and such town clerk" to the end of that section; section eleven so far as inconsistent with this Act; and sections eighteen and thirty-four.
4 & 5 Will. 4, c. 86	*An Act the title of which begins with the words* "An Act to explain "certain provisions," *and ends with the words* "to return "members to Parliament, and are not "royal burghs."	The whole Act.
4 & 5 Will. 4, c. 87	*An Act the title of which begins with the words* "An Act to explain "certain provisions," *and ends with the words* "of the royal "burghs of Scotland."	The whole Act.

Session and Chapter.	Title of Act.	Extent of Repeal.
4 & 5 Will. 4, c. 88	An Act for the more effectual registration of persons entitled to vote in the election of members to serve in Parliament.	The whole Act.
5 & 6 Will. 4, c. 78	*An Act the title of which begins with the words* "An Act to explain and amend an Act," "*and ends with the words* "and to diminish "the expenses there- "of."	Sections one and two; section five from "and after the poll" to "the declaration"; sections six, seven, eight, twelve, thirteen, and fifteen.
13 & 14 Vict. c. 33	An Act to make more effectual provisions for regulating the police of towns and populous places in Scotland, and for paving, draining, cleansing, lighting, and improving the same.	Sections seven to eleven and thirteen to twenty-six, sections twenty-nine and thirty, so far as their provisions are inconsistent with the provisions of this Act, and Schedules (A.), (B.), and (C.)
16 & 17 Vict. c. 28	An Act to amend the law as to taking the poll at elections of members to serve in Parliament for Scotland.	Sections one and ten.
18 & 19 Vict. c. 24	*An Act the title of which begins with the words* "An Act to amend "an Act," *and ends with the words* "in "county elections in "that country."	The whole Act.

Session and Chapter.	Title of Act.	Extent of Repeal.
24 & 25 Vict. c. 83	An Act to amend the law regarding the registration of county voters in Scotland.	Schedule (D.) annexed to the Act from the words "and that I am possessed" to the end of the said schedule.
25 & 26 Vict. c. 101.	*An Act the title of which begins with the words* "An Act to make "more effectual provi- "sion for regulating the "police," *and ends with the words* "and "also for promoting "the public health "thereof."	Sections forty-six, forty-seven, and fifty, so far as their provisions are inconsistent with the provisions of this Act.
28 & 29 Vict. c. 92	An Act to shorten the time for the election of members for the Ayr district of Burghs.	The whole Act.
31 & 32 Vict. c. 48	An Act for the amendment of the representation of the people in Scotland.	Section twenty-four from the words "and in the "case of a poll being "demanded" to the words "the said sheriff "of the county of "Peebles;" and sections forty-four and fifty-four; and section fifty-nine from the words "oath of possession" to the end of that section.
31 & 32 Vict. c. 58	*An Act the title of which begins with the words* "An Act to amend "the law of registra- "tion," *and ends with the words* "other pur- "poses relating there- "to."	Section thirteen.

SIXTH SCHEDULE.

Acts relating to Ireland.

A description or citation of a portion of an Act is inclusive of the words, section, or other part first or last mentioned, or otherwise referred to as forming the beginning or as forming the end of the portion comprised in the description or citation.

ACTS OF THE PARLIAMENT OF IRELAND.

Session and Chapter.	Title.	Extent of Repeal.
10 Hen. 7, c. 22	An Act confirming all the statutes made in England.	So much of the same as extends to Ireland the provisions of the Acts of the Parliament of England following; namely,—7 Hen. 4, chapter fifteen, 8 Hen. 6, chapter seven, from "and such as have the "greatest number" to "shall lose their "wages," and from "and that in every "writ that shall here-"after go forth" to the end of the chapter, 23 Hen. 6, chapter fourteen.
35 Geo. 3, c. 29 -	An Act for regulating the election of members to serve in Parliament, and for repealing the several Acts therein mentioned.	Section three, sections five to thirteen, sections fifteen to eighteen, section twenty.

ACTS OF THE PARLIAMENT OF THE UNITED KINGDOM.

Session and Chapter.	Title.	Extent of Repeal.
1 Geo. 4, c. 11 -	An Act for the better regulation of polls, and for making further provision touching the election of members to serve in Parliament for Ireland.	Sections two and three, section five from the words "and that "such sheriff" to the end of that section, sections six to twenty-one, section twenty-three, section forty-one and forty-two.
9 Geo. 4, c. 82 -	An Act to make provision for the lighting, cleansing, and watching of cities, towns, corporations, and market towns in Ireland in certain cases.	So much of sections twelve and sixteen as prescribes the mode of election of commissioners.
4 Geo. 4, c. 55 -	An Act to consolidate and amend the several Acts now in force, so far as the same relate to the election and return of members to serve in Parliament for counties of cities and counties of towns in Ireland.	Section thirty-three from the words "and that "such sheriffs" to the end of that section, sections thirty-four to to forty-seven, sections forty-nine to fifty-nine, sections sixty to sixty-two, sections sixty-four and sixty-five, sections sixty-eight to seventy, seventy-two, seventy-six, and seventy-seven.
2 & 3 Will. 4, c. 88	An Act to amend the representation of the people of Ireland.	Section thirty, section forty-eight, and sections forty-nine to fifty-four.

Session and Chapter.	Title.	Extent of Repeal.
3 & 4 Vict. c. 108	An Act for the regulation of municipal corporations in Ireland.	Section sixty-four from the words "by deliver-"ing to the mayor or "barrister" to the end of that section, and so much of that section as relates to assessors; section sixty-five from "and shall be so di-"vided" to "poll at "each compartment," "and from "in case "the booths" to "at "each place;" the words "are you the "person whose name is "signed as A.B. to "the voting paper now "delivered in by "you," in section sixty-six; section sixty-eight from "and the "mayor shall cause "voting papers" to the end of that section, and so much of the rest of that section as relates to assessors; and so much of section seventy as relates to ward assessors.
6 & 7 Vict. c. 93	An Act to amend an Act of the third and fourth years of Her present Majesty for the regulation of municipal corporations in Ireland.	Section twenty-three.
9 & 10 Vict. c. 19	An Act to amend an Act of the second and third years of His late Majesty by providing additional booths or poll-	The whole Act.

Session and Chapter.	Title.	Extent of Repeal.
9 & 10 Vict. c. 19 —*continued.*	ing places at elections in Ireland where the number of electors whose names shall begin with the same letter of the alphabet shall exceed a certain number.	
13 & 14 Vict. c. 68	An Act to shorten the duration of elections in Ireland, and for establishing additional places for taking the poll thereat.	Section one, section three, section four, sections ten to fourteen, so much of section fifteen as prescribes the interval between the election and the polling, section sixteen, section nineteen from "and that all the "deputies" to "at "the expense of the "candidates," section twenty, section twenty-two.
13 & 14 Vict. c. 69	An Act to amend the laws which regulate the qualification and registration of parliamentary voters in Ireland, and to alter the law for rating immediate lessors of premises to the poor rate in certain boroughs.	Sections eighty-six, ninety-eight, ninety-nine; section one hundred; sections one hundred and one and one hundred and two, sections one hundred and four and one hundred and five.
17 & 18 Vict. c. 102.	The Corrupt Practices Prevention Act, 1854.	Section eleven, and Schedule B.
17 & 18 Vict. c. 103.	The Towns Improvement (Ireland) Act, 1854.	So much of section twenty-four as incorporates the sections of 10 & 11 Vict. c. 16, following; that is to say,—sections twenty-three, twenty-six, and twenty-seven; section twenty-eight from the

Session and Chapter.	Title.	Extent of Repeal.
17 & 18 Vict. c. 103 —*continued.*		words "and shall be "conducted in manner "following" to "care- "fully preserved by the "presiding officer, "and," and the ques- tion numbered I., sec- tion thirty from "the "returning officer" to "each person and," and section thirty-one, and so much of any Act as incorporates the part of the said section twenty-four hereby re- pealed.
25 & 26 Vict. c. 62	An Act to amend the law relating to the duration of contested elections for counties in Ireland, and for establishing additional places for taking the poll thereat.	Part of section four, namely, so much as prescribes the interval between the day fixed for the election and the polling; section five, sections eight to ten.
25 & 26 Vict. c. 92.	An Act to limit the time for proceeding to elec- tions in counties and boroughs in Ireland.	Section one, and section two from the words "and in every city or "town" to the end of that section.
31 & 32 Vict. c. 49	An Act to amend the re- presentation of the people in Ireland.	Section twelve from the words "several "boroughs" to the word "Cork," and the words "and county of "the city of Limerick."
31 & 32 Vict. c. 112.	An Act to amend the law of registration in Ireland.	Sections four to thirty; section thirty-eight.

TABLE OF DAYS

For Nomination and taking the Poll at Parliamentary Elections in Counties, District Boroughs and Boroughs, with reference to Rules 1 and 2, *ante*, pp. 39, 40, and Rule 14, *ante*, p. 44.

1. *Counties.*

THE WRIT having been received, say, on the 1st day of the month,

THE NOTICE must be given either on the 1st, 2nd, or 3rd day of the month.

THE NOMINATION must be made,

if notice has been given on	1st,	not earlier than	5th,	nor later than	10th.
,,	2nd	,,	6th	,,	10th.
,,	3rd	,,	7th	,,	10th.

THE POLL must be taken,

if nomination has been on	5th,	not earlier than	8th,	nor later than	12th.
,,	6th	,,	9th	,,	13th.
,,	7th	,,	10th	,,	14th.
,,	8th	,,	11th	,,	15th.
,,	9th	,,	12th	,,	16th.
,,	10th	,,	13th	,,	17th.

2. *District Boroughs.*

THE WRIT having been received, say, on the 1st day of the month,

THE NOTICE must be given on the 1st or 2nd day of the month.

THE NOMINATION must be made,

if notice has been given on	1st,	not earlier than	5th,	nor later than	10th.
,,	2nd	,,	6th	,,	10th.

THE POLL must be taken,

if nomination has been on	5th,	not earlier than	8th,	nor later than	12th.
,,	6th	,,	9th	,,	13th.
,,	7th	,,	10th	,,	14th.
,,	8th	,,	11th	,,	15th.
,,	9th	,,	12th	,,	16th.
,,	10th	,,	13th	,,	17th.

8. *Boroughs.*

THE WRIT having been received, say, on the 1st day of the month,

THE NOTICE must be given either on the 1st or 2nd day of the month.

THE NOMINATION must be made,

if notice has been given on 1st, not earlier than 4th, nor later than 5th.
„ 2nd „ 5th „ 5th.

THE POLL must be taken,

If nomination has been on 4th, not earlier than 5th, nor later than 8th.
„ 5th „ 6th „ 9th.

*** If any of the above-mentioned days should fall upon a Sunday, Christmas Day, Good Friday, or on any day set apart for a public fast or public thanksgiving, such day shall be excluded in reckoning time for the purposes of the Act; and an act to be done on any day which falls on any of those days *may* be done on the next day, unless it be one of the days excluded as above-mentioned; see rule 56, *ante*, p. 59.

With regard to the last possible days for taking the poll, in the foregoing table, see, however, the note to rule 14, *ante*, p. 44.

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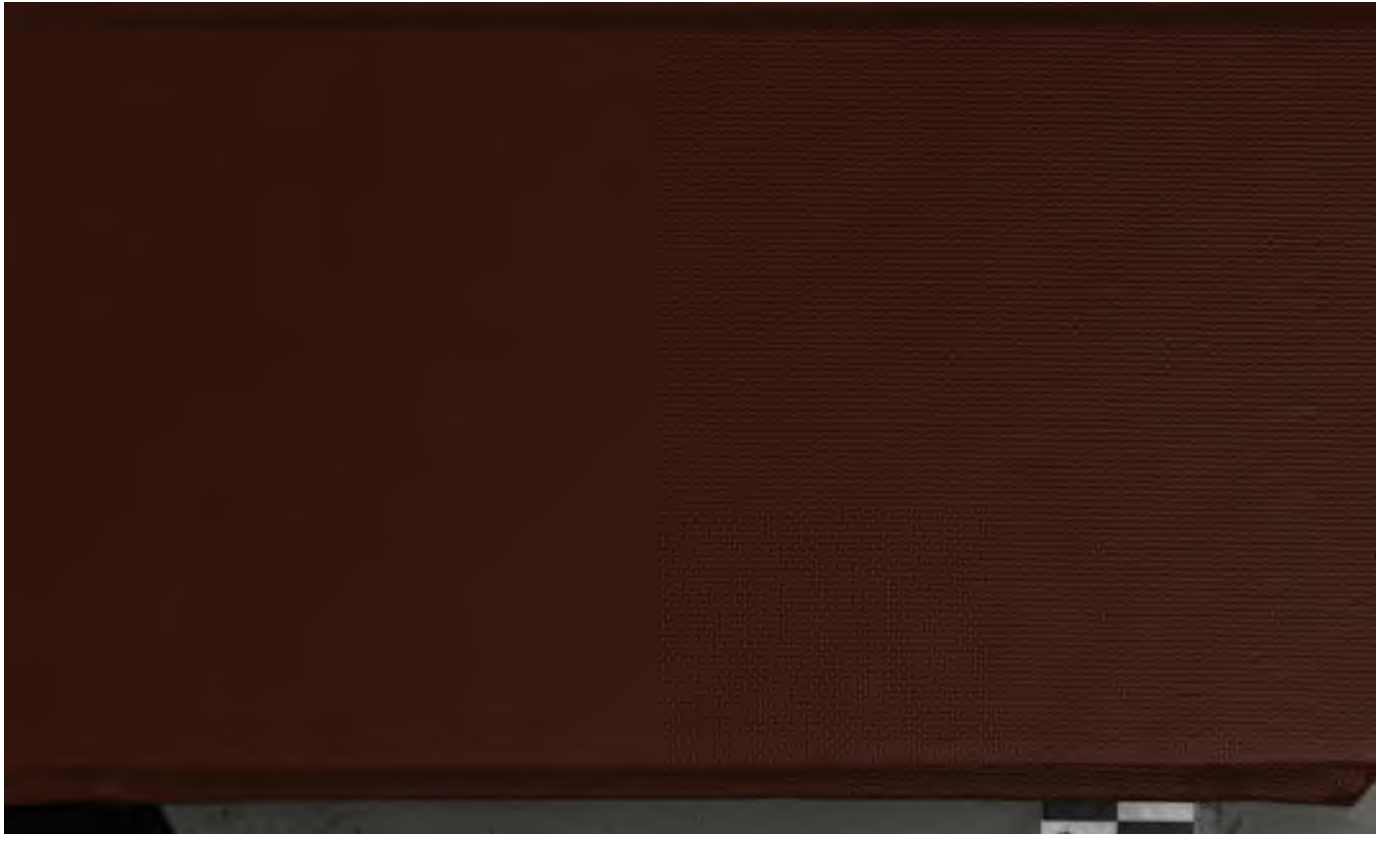
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